URBAN/MUNICIPAL
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C51F31
1997

AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

JUNE 17, 1997...

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1997



Urban/Municipal Librarian
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2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

JUN 30 1997

GOVERNMENT DOCUMENTS

Tuesday, 1997 June 17
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

A. **DELEGATION**

Hamilton Farmers' Market 160th Birthday Committee

(a) Recommendation - Hamilton Farmers' Market Sub-Committee

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **CHIEF ADMINISTRATIVE OFFICER**

New Fire Chief - Starting Date

4. **TREASURER**

(a) Information Report - Corporate Overview of the 1996 Year End Reports as at December 31, 1996

(b) Information Report - Corporate Overview of the March 31, 1997 Quarterly Reports

(c) Annual Reserve and Reserve Fund Report

(d) Internal Financing Arrangements for Previously Authorized Capital Projects Replacing External Debenture Issuance

(e) Appointment of External Auditor

5. **REFERRALS FROM OTHER COMMITTEES**

(a) Report - Treasurer - Financing of Retaining Wall Reconstruction Proposal Jackson Street West, rear of Wesanford Place (copy to follow)

(b) Report - Treasurer - Financing of Draft Plan Approval for the Development of "Albion Mills Estate". (copy to follow)

6. **CITY CLERK**

(a) Offer to Purchase - Sale of City Property 253-257 Kenilworth Avenue North (Former Tavern) to 1140532 Ontario Inc. (Angelo Papastamos)

(b) (a) Offer to Purchase City Property
8 Brantdale Avenue, Hamilton - Part of CarPark #20
Part 2, Plan 62R-14012, Purchaser: 852904 Ontario Inc.

(b) Offer to Purchase City Property
10 Brantdale Avenue, Hamilton - Part of CarPark #20
Part 1, Plan 62R-14012, Purchaser: Sam Bono Enterprises Ltd.

(c) Offer to Purchase - Sale to Air Liquide Canada Inc.
125 Birmingham Street, Hamilton (.531 acres)

(d) Offer to Purchase - Sale of City Property
16 Magill Street - CarPark #65
Purchaser: 700-042 Ontario Inc. (D. Vranich)

(e) Cogeco Cable Solutions - Cable and Equipment Pedestal Installation Hamilton Place Property - MacNab Street (tabled at the 1997 May 20th meeting)

7. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES**

Employee Appointments and Termination Report

8. **CITY SOLICITOR**

Update - Information Report - Tax Collection; USARCO Limited and Frank Levy Properties; Toronto-Dominion Bank and Coopers & Lybrand Limited

9. **OTHER BUSINESS**

10. **ADJOURNMENT**

A. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 23

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Hamilton Farmers' Market Sub-Committee

SUBJECT: Hamilton Farmers' Market 160th Birthday
Hamilton Farmers' Market Promotion

RECOMMENDATION:

(a) That the attached 160th Birthday Programme for the Hamilton Farmers' Market as submitted by the Hamilton Farmers' Market Stallholders Association be endorsed.

(b) That City Council express its support for the parking regulations for the south and north sides of York Boulevard between Bay Street and James Street to be amended to provide for one and/or two hour on-street parking at no charge on a one year trial basis and that a system of compassionate enforcement be implemented for this area.

(c) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to erect a series of signs at various strategic entry points into the City of Hamilton to promote and provide directions to Downtown Hamilton and the Hamilton Farmers' Market.

(d) That City Council express its support for a mutual aid arrangement with the Hamilton Street Railway for free bus passes to Downtown Hamilton and the Hamilton Farmers' Market.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financing for the 160th Birthday Programme is in place within the promotional budget for the Hamilton Farmers' Market. There would be a minimal cost to change existing signage on York Boulevard to permit on-street parking for the one year trial period.

BACKGROUND:

1997 is the 160th anniversary of the Hamilton Farmers' Market and in recognition of this milestone, the Hamilton Farmers' Market Stallholders Association have planned a special programme to celebrate this achievement. The programme will compliment the activities planned for Downtown Hamilton as part of the Downtown Revitalization Program.

In addition to celebrating the 160th anniversary of the Hamilton Farmers' Market, it is equally important to remember the importance of the market to Downtown Hamilton and the part it can play in any revitalization of the downtown. It is important to maintain and promote what has always been working, but not always consciously appreciated, namely the Hamilton Farmers' Market.

Free parking immediately adjacent to the market and visible signage promoting and providing directions to the market from all parts of the city is necessary to help ensure its continued success. A mutual aid arrangement with the Hamilton Street Railway could encourage more people to shop in Downtown Hamilton if one way was free and the return ride was based upon a coupon or pass being stamped by a participating downtown merchant or Farmers' Market stall.

The Hamilton Farmers' Market
- is Canada's largest indoor market
- is a Hamilton tradition
- is of historical significance
- brings the community together
- provides unique personalized service
- helps make the downtown a warmer, friendlier place
- provides ethnic diversity and interest
- is convenient for downtown living

The market is an anchor and a centre for a special type of human contact and communication. After 160 years, it remains a constant focal point for thousands of Hamilton's citizens and a wonder to many visitors.

A.

1837 - 1997

A

REQUEST

to

HAMILTON CITY COUNCIL

from

THE HAMILTON FARMERS' MARKET STALLHOLDERS' ASSOCIATION

on the

160th. ANNIVERSARY

of the

HAMILTON FARMERS' MARKET

May 1997, ADRS

Q: WHY THE REQUEST?

A: 2,000,000 People a year is valuable to the downtown.

"The Hamilton Farmers' Market is more valuable to the stability an well-being of the downtown core than is generally recognized".

The market is an anchor and a centre for a special type of human conta and communication. After 160 years, it remains a constant focal point f thousands of Hamilton's citizens and a wonder to many visitors.

It has always been a meeting place. The market is a social institution. It one place were you are just as likely to bump into an old friend you haven't see for years or a new acquaintance you were talking to only the other day.

The market draws people to the core. It is one reason for people to visit live in the downtown. Not only for practical reasons, but for something mo intangible. The market helps define the spirit, friendliness, and vitality th makes living in a city exciting. It is one of the elements that creates econom activity.....***but more importantly spins off a host of other contributio towards city life.***

The Hamilton Farmers' Market is more than a commercial supermarket.

The market:
- is Canada's largest indoor market
- is a Hamilton tradition
- is of historical significance
- brings the community together
- provides unique personalized service
- helps makes the downtown a warmer, friendlier place
- provides ethnic diversity and interest
- is convenient for downtown living

In the document, ***"Strong Medicine....A Prescription for the Heart Hamilton"*** many recommendations of a dynamic and aggressive nature are p forth. Several of these initiatives are totally compatible with the activities of th market. Opportunities exists to parlay the drawing power of the market and he improve the health of the downtown.

Section 2.6.1 of this document states as it's first objective:

> "To analyze the obstacles that stand in the way of meeting our collective objective of making the Downtown of Hamilton and of the Hamilton-Wentworth regional community a place where our community can ***"live, work, visit and play".***

ADF

A COMMERCIAL AND SOCIAL INSTITUTION

The City of Hamilton principally, and the Region of Hamilton-Wentworth in specific ways, have provided massive investments in the downtown. The use of taxpayers' dollars for Copps Coliseum, Hamilton Place, the Convention Centre among others, are examples of the faith and confidence the City of Hamilton hold in the downtown. These are public facilities, providing much more than just a commercial return to the city. They provide a quality of life that is important to the community's health. They also produce beneficial customer traffic to the strictly commercial enterprises located in the downtown.

Jackson Square, Eaton's and the Sheraton Hotel partnerships with the City of Hamilton, came together by using a combination of public and private dollars. This is just a partial example of the effort to develop a healthy downtown.

In other areas, tax dollars are used to attract special events. Events may draw a few hundred people into the downtown or even several thousands for a couple of hours or a few days. For a variety of reasons, all this effort, to bring more people and presumably more dollars to be spent in the Hamilton-Wentworth region, is judged to be worthy.

Approximately ***2,000,000 people**** pass through the Hamilton Farmers' Market annually. Placed in context with the HECFI facilities: Copps Coliseum **650,000** - Hamilton Place **100,000** and the Convention Centre **180,000.** In total, the HECFI facilities draws under 1,000,000 people annually. It is clearly recognized that the HECFI facilities provide a real boost to the downtown. What is often forgotten is the market's role as a significant player promoting the health of the downtown.

It is the intent of this submission to persuade the City Council of Hamilton, and where required, the Regional Council of Hamilton-Wentworth and the appropriate reporting committees, the value of supporting the Farmers' Market.

As part of this year's 160th. Anniversary of the Hamilton Farmers' Market we are requesting the City Council to assist us with the celebrations. We want to continue to serve the citizens of Hamilton and welcome more out-of-town visitors to share the market experience. We are requesting Council's support in four specific areas. We believe, support for of the recommendations, will benefit the market, the downtown, and the City generally.

Attached is a outline of the program for the 160th. Anniversary of the Hamilton Farmers' Market.

* A market customer survey of market users was prepared by the Hamilton-Wentworth Planning and Development Department in 1988.

ADRS

RECOMMENDATIONS

#1 NO COST CONVENIENT PARKING

That the City of Hamilton re-organize the parking regulations along the south side of York Blvd., between Bay Street and James Street. Establish the maximum number of no-charge one and/or two hour on-street parking spaces along this stretch of York Blvd.....**or** in the alternative, construct lay-bys for parking. That the program remain in place and evaluated for a one year trial period. That a system of compassionate enforcement be implemented.

RATIONALE FOR RECOMMENDATION

Patrons of the market are limited in the amount of produce they can physically carry. The closer patrons are able to park near the market the more convenient it becomes. Most people who shop at the market can easily purchase all their produce in less than an hour. Free, nearby, turnover parking is believed to be an inducement for people to shop at the market. Eaton's and the nearby Jackson Square stores will also benefit from this recommendation. It is equally important to work at this parking problem to shore-up Eaton's business and the stores in Jackson Square.

DISCUSSION

We are aware such a recommendation is controversial.

In view of the state of our downtown, we believe ***strong medicine*** is required. Some will say such measures impede traffic flow, cause congestion present a safety hazard, affect private parking lot operators and create enforcement problems. Our response to these concerns is to ask everyone to take a good look at York Blvd. It is a marvel of transportation efficiency. It moves traffic quickly and efficiently. Years ago York Street was congested. Old stores were full of people. The market square was a hectic sea of people, cars and farmers' trucks. Far too much congestion for a healthy downtown.

Take another look at York Street. The commercial vibrancy predicted for York Blvd. is slow to materialize. Many years after its completion few people would call it a promenade. The pall over Jackson Square and the recent scare with Eaton's, is yet another sign that we need ***strong medicine.*** No single factor may account for the current situation. But perhaps the sterile streetscape and the dominance of vehicular street traffic needs a change.

Eaton's is the last significant department store downtown. To lose such a valuable commercial enterprise would be devastating. Eaton's and the market share many of the same customers. It is important to keep both strong.

A LITTLE CONGESTION IS NOT ALL BAD

We believe a little congestion and greater people activity on York Blvd. is a positive. We believe a little slowing down of the traffic on York Blvd. between Bay and James street is safer for people. We believe a few free, one hour parking spaces is warranted. We believe increasing the shopping traffic downtown is good business for the parking lot operators. Better to have an overflow of vehicles from the street than an abandonment of the downtown. We believe, sensible, compassionate, parking enforcement is possible.

#2 ENDORSE THE MARKET'S 160th ANNIVERSARY PROGRAM

This recommendation is self-evident. What may appear unusual is the order in which it appears.

DISCUSSION

We feel confident that City Council will endorse our program. But, because parking is the number one concern it is placed before all others in terms of importance. While the Traffic Department is presently reviewing our request for free on-street parking we ask Council to keep the parking issue as a top priority.

#3 SIGNS AT VARIOUS ENTRANCES TO THE CITY OF HAMILTON

That the City of Hamilton erect a series of signs at various strategic entry points into the city. These signs will promote, and give directions, to the downtown and the Hamilton Farmers' Market.

DISCUSSION

This recommendation is concise and easily accommodated. City, Regional and private property can be identified for this use. The signs should reflect the Victorian theme being emphasized in the Downtown Revitalization Plans. The signs should be tasteful, ornate and decorative. Attractive landscaping around the signs could provide a pleasing and softening effect. The details can be negotiated. Properly implemented we could avoid the garish look of some past signage experiments.

The life of this recommendation is simply dependent on political will. We ask that the appropriate personnel be directed to work with the stallholders on this project.

#4 FREE BUS PASSES TO THE DOWNTOWN

Provide political support in a mutal-aid arrangement with the HSR for free bus passes to the market/downtown.

DISCUSSION

The HSR's ridership issue is a matter for continual concern. Bringing more people downtown is obviously an issue of concern. We believe a mutual-aid arrangement between the HSR and the market and other downtown merchants has the potential to increase ridership and attract people to the market and the downtown. One-way coupons (bus fare) from any point in the Region to the downtown could be provided to shoppers heading downtown. One-way return coupons (bus fare), to be provided or stamped by the market, or other participating downtown merchants, upon proof of purchase. The administrative details can be negotiated.

CONCLUSION

The attached program and recommendations provides the reasons and information to support our request to City Council. We ask you to help us, to help the downtown, be the kind of place to ***"live, work, visit, and play"***.

ADRS

A

160TH. BIRTHDAY

CELEBRATION

OF THE

HAMILTON FARMERS' MARKET

1837 - 1997

ADRS - May 1997

INTRODUCTION

1997 is the 160th anniversary of the Hamilton Farmers' Market. In recognizing this milestone, the Hamilton Farmers' Market Stallholders' Association decided to initiate a special program to celebrate this achievement.

Last year, in 1996, the City of Hamilton celebrated it's successful Sesquicentennial. During this celebration of the 150th anniversary of the founding of the City of Hamilton, a realization took place regarding the market. This public institution has provided a continual source of strength and vitality to the downtown. Many had forgotten just how valuable the market is to Hamilton. Many enjoy and appreciate the market, but take it for granted - it has always been there.

As part of the 1996 Sesqui celebrations, the ***"Walk Through Time"*** pictorial display was unveiled at the Farmers' Market. The large black and white pictures, hanging prominently from the high market ceilings, helps to remind us of our roots. The historical significance and the continuing valuable contribution the market makes to this community is often overlooked.

Many people did not realize the market is older than the city itself. It was the market that first became the economic and social centre of this community. The city, then expanded around this centre of activity. Today, downtown Hamilton struggles to meet a variety of challenges. The market faces many of these same challenges, but undaunted it remains an interesting and refreshing oasis in the centre of the downtown.

It is this oasis that offers people a welcome relief in the midst of difficulty. It is this oasis that helps to provide the downtown with a diversity of sights and sounds. It is the hustle and bustle of people coming to market that creates excitement and interest. The market is a special place. It is beyond being a place to simply purchase produce. It is a community meeting place that touches and pleases the physical senses. It provides a social and economic vibrancy to our downtown. Its a measure of what it means to be a community.

The question being posed by many of our community leaders is how to restore vibrancy to the downtown? One answer to that question is to maintain and enhance what has always been working, but not always consciously appreciated. The Hamilton Farmers' Market is a hometown institution with 160 years of tradition that enriches the life of Hamilton.

In January of this year, a committee composed mainly of market stallholders was established to develop plans to celebrate and enhance this local attraction. Former Alderman Brian Hinkley, now Community Relations Consultant and President of Alternative Dispute Resolution Services, is assisting in the development of a plan, and helping to coordinate the program.

IDEAS ARE GENERATED

In January 1997, a brainstorming meeting was held to explore a variety of ways in which the market could be promoted and celebrated. Once the objectives for the 160th. Anniversary were agreed upon, a list of 43 specific ideas were suggested. During the month of February, the ideas were circulated and members of the committee were encouraged to reflect upon and discuss the ideas. Others in the community, who have a fondness for the market were asked to help, or be part of, the anniversary program.

In March, the committee met to pare down and prioritize the list of ideas. The ideas were developed into a program that reflected the objectives for the birthday celebrations. The program was costed and a budget was agreed upon. It was clear the budget exceeded the funds available. The committee decided to make a direct appeal to City Council for the shortfall in funding.

CITY CLERK'S DEPARTMENT PROVIDES ASSISTANCE

The administration of the Hamilton Farmers' Market is directed through the City Clerk's Department. When the City Clerk's Department was made aware of the market's anniversary program they suggested that the objectives of the market program may be achieved through alternative means. Recognizing the tight fiscal realities facing City Council, it was suggested to utilize the existing resources of various civic departments. It was further suggested that the market program piggy-back on this year's special downtown revitalization plans and thereby produce a synergy of effort.

During April and May the elements of the program were discussed with various city staff. Mr. Stan Hollowell, of the Clerk's Department was of great assistance by bringing together various civic departments and the market representatives. Through the utilization of existing resources, rather than fund a program entirely with separate unbudgeted dollars, an alternative program was agreed upon.

The following represents the thrust of the program to celebrate the 160th anniversary of the Hamilton Farmers' Market. Other ideas and suggestions may come forth due to fortunate circumstances or good luck. They will be acted upon when such opportunities arise. The bulk of this program does not require political approval. However, the 160 Anniversary Committee believes it is important that the members of Hamilton City Council receive this information and be in a position to respond when required. The committee is placing four recommendations that should receive the blessings, and possibly direction of City Council.

ADRS

GENERAL ELEMENTS OF THE PROGRAM

The following provides a quick overview of the simple elements that will comprise the main focus for the market celebrations.

* Free market parking
* Planned special events at or around the Market
* Spectator and other media to do feature articles on the market
* Coordinate with the downtown revitalization activities
* Seek promotional opportunities in conjunction with the Hamilton Health Sciences Corporation fund-raising gala being held at the market
* Plug into promotional opportunities through the Culture and Recreation Dept.
* Involvement and participation of Jackson Square/ Eaton's where suitable
* Special draws for market customers
* Community advertising
* Commercial media advertising

REQUEST TO CITY COUNCIL

* Support for more free parking in the vicinity of the market
* Statement of support for the program
* Direction to establish "Big" signs on the highway entrances into the city designed to promote the market and the downtown
* Assist to establish an appropriate arrangement with the HSR for free bus passes to the downtown/market

THE PROGRAM IN BRIEF

*** Free Market Parking**

There is no issue dominating the concerns of market stallholders more than parking arrangements. This is a matter that is not clearly resolvable, without in some way, affecting the interests of others. It involves tradeoffs. Decisions will need to reached as to the appropriateness of trading-off traffic flow, paid parking or other concerns. The provision of some free parking, close as possible to the market is deemed critical to the success of downtown shopping and the retail trade. The market is requesting parking along both sides of York Street between Bay and James Street, where it is possible. That the on-street parking be free for periods of one to two hours. That a system of compassionate enforcement be implemented.

The success of the market, the continued existence of Eaton's (Hamilton's last significant downtown department store), and the maintenance of a healthy Jackson Square shopping complex is critically important. This issue of free, convenient, parking must be addressed. The City's Traffic Department is evaluating the market's request.

Because this issue is the number one concern the matter is raised again under the specific requests to City Council.

*** Planned Special Events**

Throughout this year special events, such as a children's petting zoo, corn shucking contests, dunk tanks, apple-bobbing, taffy-pulling, etc. have been suggested to focus attention on the market. A special day to celebrate the birthday itself will be organized. An on-site radio broadcast may be utilized in conjunction with a special 3 to 4 hour charity fundraising effort or a program of short interviews with local celebrities chatting about their personal **"Memories of the Market"** and **"The Market's Future Potential"**, have been suggested.

*** Media Articles on the Market**

Throughout the year the committee will explore opportunities to involve the local media in newsworthy events, and public interest stories about the Farmers' Market and, follow-up on any offers of free advertising.

*** Coordination with the Downtown Revitalization**

Hamilton Farmers' Market will be taken to the people through specially designed farmers' display carts set-up throughout the Gore and downtown core. The market will also be promoted in the advertising and various special publications being produced under the theme ***"positively downtown"***.

ADRS

*** Supporting the Market as a Unique Attraction**

The market stallholders is supporting the facility as an interesting venue for a fundraising event. This first-time event could prove the forerunner for other opportunities. The Hamilton Health Sciences Corporation will be holding a charity fund-raiser food emporium gala in the market. The food for the event will be purchased from the market. The stallholders may also be involved with the event in other ways. In the future the market may also be used as a site for a hoe-down or country dance. All of which could lend itself to additional business for the stallholders, revenue raising, and special promotional opportunities.

*** Culture and Recreation Department**

The market will be included in the Culture and Recreation Department's Sping/Summer brochure and Fall/Winter brochure. Combined circulation is in excess of 30,000.

*** Involvement and Participation of Jackson Square - Eaton's, et al.**

There are mutual benefits and opportunities by involving those nearby establishments to create synergy by working together. This could also involve Copps Coliseum, the Public Library, the Hamilton Sheraton and others.

*** Special Draws for market customers, free trips - other prizes**

This program is one that can be easily developed and implemented. Draws can be changed to suit the circumstances or held in conjunction with an outside organization or other events.

*** Community Advertising and Promotion**

The Parks Department have agreed to recognize the market's 160th year by planting a floral arrangement in the City Hall forecourt. The Hotz Community sign across from Hamilton Airport will be used to promote the market during the Spring, Summer and Fall of this year. The downtown revitalization plans include the market on advertising panels in approximately 40 bus shelters.

*** Commercial Advertising**

Paid commercial advertising will be planned in conjunction with the overall program to promote the market and its special activities.

***Request to City Council**

The City of Hamilton has a special relationship with the Hamilton Farmers' Market. Many publicly-owned facilities in the downtown core hold an aura of prestige and commands attention from the City Council. The Farmers' Market, while it attracts people to the downtown, has remained somewhat of a forgotten asset.

The market was born is 1837 and has remained as a social and community institution ever since. The valuable contribution that the market makes to this community is understated. It is important for the members of City Council to be informed of this year's activities and have the opportunity to see the market in the same light in which the market was founded. A people place. A friendly place. An informal community meeting place.

The program has elements that require some political assistance. A presentation to the City Council, through the appropriate committee, Finance and Administration, will outline these requests.

It is proposed the City Council do the following:

1) Provide free parking close to the market

2) Endorse the 160th Anniversary Program

3) Explore an arrangement for a promotional free bus pass program to the downtown in conjunction with the Hamilton Farmers' Market. The HSR may wish to advertise their services in return for a free bus pass arrangement. This initiative can obviously be arranged independently from the market celebrations. It is the contention that further incentives to draw people downtown are required. Destination bus passes to the downtown is one more incentive.

4) "Big" Signs at Entrances to the City promoting the Market/Downtown

The City of Hamilton can control this initiative through the various civic departments. This will require a political directive.

This above recommendations are addressed more fully in a separate document that forms the basis for the presentation to the Finance and Administration Committee.

ADRS

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Joseph G. Pavelka, P.Eng
Chief Administrative Officer

SUBJECT: Appointment of New Fire Chief

RECOMMENDATION:

a) That Mr. Wesley Shoemaker be appointed the Fire Chief for the Corporation of the City of Hamilton effective Monday, June 30, 1997; and,

b) That Acting Fire Chief Gil Desjarlais return to the position of Deputy Chief of the Hamilton Fire Department, effective June 30, 1997, at his former rate of pay.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial consequences of the appointments because both the Fire Chief and the Deputy Fire Chief's positions are already included in the current budget.

BACKGROUND:

Deputy Chief Desjarlais assumed the responsibilities of Acting Fire Chief upon the retirement of Chief Garry H. Smith on December 31, 1996. Deputy Chief Desjarlais will re-assume his former position.

JGP:dd

4. (a.)

CITY OF HAMILTON
- INFORMATION -

DATE: 1997 May 16

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Corporate Overview of the 1996 Year End Reports as at December 31, 1996

BACKGROUND:

Attached is the Corporate Overview of the Quarterly Reports for the City based on actuals to December 31, 1996. The 1996 surplus of $947, 860 represents the 49th consecutive surplus for the City. Actual surpluses/deficits by departments are as follows:

C.A.O.	($ 13,965)	Deficit
Building	$600,970	Surplus
Clerks	$317,460	Surplus
Culture & Recreation	($484,380)	Deficit
Fire	($ 36,360)	Deficit
H.E.C.F.I.	$ 32,305	Surplus
Human Resources	($ 14,340)	Deficit
Information Systems	($ 47,280)	Deficit
Law	$ 49,465	Surplus
Legislative	($ 39,865)	Deficit
Library	$111,250	Surplus
Planning	($ 24,830)	Deficit
Property	($251,910)	Deficit
Public Works/Traffic	$955,860	Surplus
Roads	$164,010	Surplus
Treasury	$120,670	Surplus
Financials & Others	($491,200)	Deficit
TOTAL	$947,860	Surplus

This surplus is net of transfers to reserves from revenue surpluses such as the Building Department's "Reserve for Building Permit Revenue Stabilization". Also note, that the above information does not reflect any 1996 audit adjustments.

Individual departmental quarterly reports providing further explanation to these results have been distributed through the respective Standing Committee secretaries.

This report is prepared as a component of the ongoing process to keep City Council updated on Current Budget issues.

Allan L. Ross

c.c. Members of Corporate Management Team

CURRENT BUDGET QUARTERLY REPORT
AS OF DECEMBER 31 1996

CORPORATE OVERVIEW

Summary of Expenses/Revenues as of December 31, 1996

To December 31, total actual expenditures are 1.3% below budget as compared to the Total $164,330,830 Expenditure Budget. In addition revenues to this point are in a deficit position of 0.8%. The blended effect translates into a $0.9 million surplus or 0.6% of the total expenditures as indicated below.

An explanation of these variances follows the tables below.

Table 1 **BUDGET AND ACTUALS AS AT DECEMBER 31, 1996**

Corporate Overview Variances to December 31 1996	1996 BUDGET (1)	1996 ACTUAL (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE % (3/1) (4)
Expenditures	$164,330,830	$162,129,985	$ 2,200,845	1.3%
Revenues	$164,330,830	$163,077,841	($ 1,252,989)	(0.8%)
Net Position	$0	$ 947,856	$ 947,856	0.6%

Total City expenditures to December 31 are 1.3% under budget. Of that total, $1.0 million is attributable to favourable departmental spending, largely due to salary gapping due to vacancies, maternity leave, etc. The other component of the surplus, approximately $1.2 million is attributable to Non-departmental and Financial Accounts which is explained under separate cover.

Total City revenues to December 31 are 0.8% under budget. Of that total, a surplus approximately $464,000 is related to departmental activities. Within these activities, both Cemetery and Traffic revenues were under budget $211,000 and $263,000 respectively. However these deficits were offset by significant surpluses in the Building and Recreation departmental operations in amounts approximating $452,000 and $181,000 respectively. The balance of the deficit, approximately $1.6 million is attributable to Non-departmental and Financial Accounts which is explained under separate cover.

1996 ACCOMPLISHMENTS!

This is the 49th consecutive surplus generated by the Corporation. The surplus has been transferred to the Reserve for Tax Stabilization. Reference should be made to the Departmental Quarterly reports which have identified their accomplishments in 1996.

FOOTNOTE

The above position and year-end actuals has been prepared prior to any 1996 audit adjustments.

4. (b.)

CITY OF HAMILTON
- INFORMATION -

DATE: 1997 May 16

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Corporate Overview of the March 31, 1997 Quarterly Reports

BACKGROUND:

The individual Departmental, Local Board and Financial March 31, 1997 Quarterly reports have been distributed through the appropriate Standing Committee Secretaries as Information Reports. These reports are based on Available Funds Report as of March 31, 1997.

There are no year-end projections provided within the reports given that the 1997 Budget was approved by Council March 3, 1997 and that the information as of March 31 may not be useful to provide a valid projection. In addition, Public Works has undertaken a revision to the Maintenance Management System (MMS). The MMS is being revised as a result of an internal review completed in 1996. Due to this revision, there is no accurate March 31, 1997 information available for the Public Works divisions (Parks, Cemetery, Streets, Fleet Services). The Public Works information will be available for the June 30, 1997 quarterly report.

However, at this point in time, there is no indication from the Departmental. Local Board or Financial Quarterly reports which would indicate any significant variation from budgeted programs. The financial status of the Corporation will be monitored on a regular basis by Management Team to ensure a positive outcome by year-end.

This report is prepared as a component of the ongoing process to keep City Council updated on Current Budget issues.

Allan C. Ross

c.c. Members of Corporate Management Team

4. (c.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1997 May 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Annual Reserve & Reserve Fund Report

RECOMMENDATION:

(a) That the annual Reserve & Reserve Funds report be received.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
See discussion below.

BACKGROUND:

The City Treasurer prepares an annual report on the Reserves and Reserve Funds and, where necessary recommends Policy changes for the review and approval of Committee and Council. The last major policy review was done in 1996. This report will provide an update on the various policy changes approved last year and provide a review of the existing policies, purposes, and levels of the reserve and reserve fund balances at the end of April 1997. Details of each reserve or reserve fund are provided under separate cover and provide the purpose, funding sources and the current commitments outstanding against each account.

Discussion

The total Reserve and Reserve Funds balance as at April 30, 1997 is $ 90.106 million. This compares with $91.035 million at the same time last year. This is indicative of the City's continuing financial strength and the utilization of these reserves as a funding source for its current and capital programs. Several changes were approved last year, the following is a brief update of the new policies approved last year:

a) Re-classification of Reserves

Reserves and reserve funds were reclassified into three categories namely, Capital Funds, Working Funds and Reserve Funds. The Capital Funds will support the City's capital program, the Working Funds support the City's current program and the Reserve Funds are funds set aside for a specific purpose or for an existing or contingent liability.

b) Internal Debt Financing

This policy was approved in principle in the 1996 Reserve report. Detailed policies are being recommended in a separate report on this F&A agenda. The $9.0 million being recommended for the 1997 Capital requirements will be the first draw on the Capital reserves under this policy.

c) Reallocation of Funds

This years report reflect all the reallocations approved in the 1996 report.

d) Insurance Reserve Review

This study was done by the firm Sobeco Ernst & Young and completed in January of 1997.

The major focus of this study was to determine the appropriate levels of reserves to support the City's current level of uninsured exposure and to determine whether the City should increase or decrease these deductibles. In addition the Study addresses several other areas.

Deductibles and Reserve Levels

The size of the City's deductibles determine the level of reserves. Higher deductibles lower the fixed cost of insurance policies but simultaneously increase the cost of uninsured claims. The proper level of reserves and deductibles are interrelated and depend to a significant degree on the level of risk the City determines is appropriate.

By analyzing the City's history of past experience the study ran numerous simulations of potential future annual uninsured claim counts and individual uninsured claim costs for ten year periods. These individual claims were capped at various retention levels ranging from current levels of $500,000.00 up to $1.0 million deductible and also the maximum of no deductible or fully self insured.

The results of these simulations was then used to do a 10 year forecast of the City's current reserves to determine whether the reserve will remain positive at each of the various deductible levels chosen. The results show that for the 100 runs of 10 years each, the current reserve was exhausted in 3 of the 100 different simulations.

The results of the study will assist staff in analyzing the upcoming request for quotations for insurance for the City at different deductible levels. No change to the reserve levels is being recommended at this time.

c.c. J.G. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor

4. (d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 6

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Internal Financing Arrangements for Previously Authorized Capital Projects Replacing External Debenture Issuance

RECOMMENDATION:

(a) (i) That the City establish a policy of internal financing of capital projects to replace external debt financing through the transfer of funds from capital reserves; and

(ii) that the policy be established at a range between the 5-10 year amortization at a rate of 25 basis points above the respective Canada Bond Rate; and

(iii) that the internal financing be based on the availability of funds from the Capital Reserves to be reviewed annually by the City Treasurer and authorized annually by City Council; and

(b) That the City Treasurer be authorized to finalize internal financing arrangements in the total amount of $9,000,000 through a transfer of funds from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101 to the various work-in-progress accounts as outlined in the enclosed Schedule "A", to be repayable over a period of five years based on a 5 year Canada Bond Rate as at December 31, 1996 plus 25 basis points (5.73%); and

(c) That the City Treasurer be authorized to repay the annual principal and interest charges out of the Current Budget Provision for Capital Financing, Account Centre No. CH 21102 by crediting the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101; and

(d) That the City Solicitor be authorized to revise the appropriate by-law for each capital project, noted in Schedule "A" (attached), to reflect a reduction in the corresponding debenture authority by the amount of reserve transfer noted in Schedule "A", column (10); and

(e) That the attached Schedule "B" form part of the internal financing arrangement schedule, noted above in the amount of $9,000,000; and

(f) That the City Treasurer be authorized to finalize internal financing arrangements for the owners' share of local improvements through a transfer of funds from the Reserve for Debt Charges, Account Centre No. CH 00108 to be authorized over a period of 15 years for:

(i) Accounts previously closed in 1995 and rated in 1996 in the amount of $43,818.33 at the rate of 9.25% per Schedule "C" attached; and

(ii) Accounts previously closed in 1996 and rated in 1997 in the amount of $219,116.74 at the rate of 7.00% per Schedule "D" attached.

(g) That the City Treasurer be authorized to recover the local improvement costs (repayment of annual instalments) through the tax roll and credit the proceeds to a budgeted revenue account and to provide for the annual instalments in the current budget through a transfer to the Reserve for Debt Charges.

Allan L. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The issuance of internal debenturing not only eliminates the need to arrange financing through external sources but also generates savings as internal borrowing rates will be lower than external borrowing rates. Additionally, an internal financing arrangement through a transfer of reserve funds allows the City's reserves to be fully utilized to generate a higher return for the short term portfolio.

BACKGROUND:

Section 8 of the Thirteenth Report of the Finance and Administration Committee adopted by City Council 1996 July 9 authorized "That the current external debt financing as defined in the ten year Capital Budget, be replaced with a policy of Internal Financing using the Capital Reserve Funds as the source of funding".

The previously authorized capital projects and the current ten year capital program are funded by subsidies, capital levy, reserves and external debt. The Council authorization noted above will replace the requirement for external debt borrowing with internal debt funded from the City's Capital Fund Reserves. This process will be reviewed annually by the Treasury staff to determine whether enough reserves and reserve funds are available and cash flow to provide the necessary internal financing.

The interest rate for external debt is set based on various economic market conditions, credit rating, market liquidity, term of the loan, etc. As a benchmark, the external debenture rate is generally in the range of 40 to 60 basis points above the Canada Bond Rate. For this report, the rate has been assumed to be fifty basis points above the term of the Canada Bond Rate. For the purposes of this internal financing arrangement, the rate is to be twenty five basis points above the Canada Bond Rate. The current arrangement is a five year amortization, therefore the rate is twenty five basis points above the five year Canada Bond Rate as at December 31, 1996 which is 5.73% (5.48% plus 0.25%). This generates savings in comparison to external borrowing costs.

The added advantage of this arrangement is that the City's short term portfolio will earn a rate that will exceed the City's normal investment rate. Investing on the 5 year Canada Bond rate rather than investing on a very short term money market rate generates higher returns and the City's reserves are at the same time used to the fullest extent. The cash balance of reserves and reserve funds are used to finance the up front financing arrangements of tax receivables, current operations and in some cases capital expenditures until taxes, subsidies, etc. are collected and/or financing arrangements are made for capital expenditures. Current cash flow projections show that for 1997 (and likely for at least the next three to four years) capital debenture needs can be met by the use of internal funds.

A detailed internal debenture financing schedule for each project along with a consolidated schedule for $9,000,000 (Schedule "B") are enclosed for your authorization and accounting records.

The City previously obtained debenture authorization for capital projects through the City's own by-law and in some cases through the Ontario Municipal Board. At present the external debenture issuance in the total amount of $9,000,000 is no longer needed and is being replaced by a transfer of funds from capital reserves. Accordingly, the corresponding debenture authorization will be either reduced or cancelled.

The owner's share of Local Improvement projects after commutations was previously financed through the issuance of debenture and the City fund was used to purchase those debentures. These costs (annual debt charges) are recovered through the tax roll, and the rates were previously determined. The procedures for the cost recovery from the owner's share of local improvements remains the same, but now instead of issuing debentures, a transfer of funds from the Reserve for Debt Charges, Account Centre No. CH 00108 will be made as noted in Schedules "C" and "D". The recovery through the tax roll is budgeted in the City's current budget revenues and repayment of annual instalments will be recorded in the expenditure side as a transfer of funds to the Reserve. With the change to internal financing for the City's main debenture needs, the change in financing is required.

NRA:jc
Encls.

c.c. J. G. Pavelka, P.Eng., Chief Administrative Officer
P. Noé Johnson, City Solicitor, Attention: L. Farr
W. Michael Cashion, C.A., MacGillivray Partners Chartered Accountants

The City of Hamilton

Schedule "A"

LISTS OF CAPITAL PROJECTS – INTERNAL FINANCING ARRANGED THROUGH RESERVE

No. (1)	PROJECTS (2)	ACCOUNT CENTRE NUMBER (3)	AUTHO-RIZING BY-LAW NUMBER (4)	ONTARIO MUNICIPAL BOARD NUMBER (5)	ONTARIO MUNICIPAL BOARD DATE (6)	DEBENTURE AMOUNT AUTHO-RIZED (7)	DEBT/ RESERVE FINANCING TO DATE (8)	MAXIMUM DEBT TO BE ISSUED (9)	INTERNAL FINANCING THROUGH RESERVE 1997 (10)
	BUILDING & RECREATION DEPARTMENT:								
1	BARRIER FREE DESIGN ACCESS – Recreation Buildings (Infrastructure)	CF 809453003	94-135	N/A	N/A	89,333		89,333	89,333
2	BARRIER FREE DESIGN ACCESS – Recreation Buildings (Infrastructure)	CF 809453004	94-135	N/A	N/A	62,667		62,667	62,667
3	BARRIER FREE DESIGN ACCESS – City owned Buildings (Infrastructure)	CF 809453005	94-135	N/A	N/A	966,667	494,836	471,831	471,831
	PROPERTY DEPARTMENT:								
4	CITY HALL–REPLACE EXISTING CHILLERS & ASSOCIATED EQUIP (Infra.)	CF 809453012	97-033	N/A	N/A	113,333		113,333	113,333
5	MOUNTAIN COMPOSITE – ROOF REPLACEMENT	CF 319441014	94-095	N/A	N/A	65,000		65,000	65,000
6	MACNAB RECREATION CENTRE – BUILDING ENVELOPE REPAIRS	CF 319441015	94-095	N/A	N/A	250,000	197,935	52,065	52,065
7	BARRIER FREE DESIGN ACCESS – RECREATION BUILDINGS	CF 329441016	94-095	N/A	N/A	394,000	197,935	196,065	196,065
	FIRE DEPARTMENT:								
8	RENOVATE THE FIRE STATION AT WOODWARD AND MELVIN (Infra.)	CF 809453011	97-033	N/A	N/A	66,667		66,667	66,667
	CULTURE & RECREATION DEPARTMENT:								
9	DUNDURN CASTLE RESTORATIONS S. & W. Facades including Dovecote & Stables	CF 719441022	94-095	N/A	N/A	1,726,000		1,726,000	1,726,000
	PUBLIC WORKS & TRAFFIC:								
10	ROAD & SIDEWALK RECONSTRUCTION PROGRAM – Local Roads – Phase I	CF 529542001	95-090/95-216	N/A	N/A	5,419,000	4,269,092	1,149,908	1,149,908
11	ROAD & SIDEWALK RECONSTRUCTION PROGRAM	CF 529642001	96-050	N/A	N/A	4,524,000	52,048.85	4,471,951	1,000,000
12	QUEEN STREET STEPS – CONSTRUCTION	CF 609449020	94-095	N/A	N/A	540,000	296,902	243,098	243,098
13	ROAD & SIDEWALK RECONSTRUCTION PROGRAM (Infrastructure)	CF 809453008	94-135	N/A	N/A	1,203,234	989,673	213,561	213,561
14	ROAD & SIDEWALK RECONSTRUCTION PROGRAM (Infrastructure)	CF 809453009	95-18	N/A	N/A	227,406	98,967	128,439	128,439
15	ROAD & SIDEWALK RECONSTRUCTION (Infrastructure)	CF 809453010	97-033	N/A	N/A	1,374,833		1,374,833	1,374,833
16	MOHAWK SPORTS PARK	CF 629154022	91-210	E 910208	28-Mar-91	470,000	282,834	187,166	187,166
17	BASEBALL FACILITIES DEVELOPMENT	CF 629254004	92-217/92-283	E 920503	03-Sep-92	1,500,000	1,472,160	27,840	27,840
18	CONSTRUCT GAGE PARK FACILITIES BUILDING	CF 629064019	90-268/94-181	E 900568	14-Jun-90	460,000	419,380	40,620	40,620
19	T. B. MCQUESTON PARK	CF 629254005	92-216/94-123	E 920490	07-Jul-94	2,115,525		2,115,525	704,859
20	CHEDOKE MOUNTAIN STEPS	CF 629449012	94-095	N/A	N/A	378,000	343,416	34,584	34,584
21	LIGHTING SAFETY – IMPROVEMENTS	CF 629454013	94-095	N/A	N/A	233,000	98,967	134,033	134,033
22	CROWN POINT EAST/MCANULTY – PHASE VI	CF 429407001	94-095	N/A	N/A	400,000	296,902	103,098	103,098
23	GORE PARK WALKWAY RESTORATION	CF 629543010	95-090	N/A	N/A	315,000		315,000	315,000
24	PLAYSTRUCTURE DEVELOPMENT (Infrastructure)	CF 809453013	97-033	N/A	N/A	100,000		100,000	100,000
25	CREATIVE PLAYGROUND	CF 656652030	97-033	N/A	N/A	400,000		400,000	400,000
						23,393,665	9,511,048	13,882,617	9,000,000.00

The City of Hamilton
Treasury

Schedule "B"

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
Internal Financing Through Reserve Consolidated Schedule 1997					
24-Jun-97					9,000,000.00
24-Jun-98	2,120,898.20	1,605,198.20	515,700.00	5.73%	7,394,801.80
24-Jun-99	2,120,898.20	1,697,176.06	423,722.14	5.73%	5,697,625.74
24-Jun-2000	2,120,898.20	1,794,424.25	326,473.95	5.73%	3,903,201.49
24-Jun-2001	2,120,898.20	1,897,244.77	223,653.43	5.73%	2,005,956.72
24-Jun-2002	2,120,898.04	2,005,956.72	114,941.32	5.73%	(0.00)
	10,604,490.84	9,000,000.00	1,604,490.84		

CONSISTING OF:

1. Barrier Free Design Access - Recreation Buildings (Infrastructure) Account Centre No. CF 809453003					
24-Jun-97					89,333.00
24-Jun-98	21,051.80	15,933.02	5,118.78	5.73%	73,399.98
24-Jun-99	21,051.80	16,845.98	4,205.82	5.73%	56,554.00
24-Jun-2000	21,051.80	17,811.26	3,240.54	5.73%	38,742.74
24-Jun-2001	21,051.80	18,831.84	2,219.96	5.73%	19,910.90
24-Jun-2002	21,051.79	19,910.90	1,140.89	5.73%	0.00
	105,258.99	89,333.00	15,925.99		

2. Barrier Free Design Access - Recreation Buildings (Infrastructure) Account Centre No. CF 809453004					
24-Jun-97					62,667.00
24-Jun-98	14,767.81	11,176.99	3,590.82	5.73%	51,490.01
24-Jun-99	14,767.81	11,817.43	2,950.38	5.73%	39,672.58
24-Jun-2000	14,767.81	12,494.57	2,273.24	5.73%	27,178.01
24-Jun-2001	14,767.81	13,210.51	1,557.30	5.73%	13,967.50
24-Jun-2002	14,767.84	13,967.50	800.34	5.73%	0.00
	73,839.08	62,667.00	11,172.08		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

3. Barrier Free Design Access – City Owned Buildings (Infrastructure) Account Centre No. CF 809453005

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
24-Jun-97					471,831.00
24-Jun-98	111,189.50	84,153.58	27,035.92	5.73%	387,677.42
24-Jun-99	111,189.50	88,975.58	22,213.92	5.73%	298,701.84
24-Jun-2000	111,189.50	94,073.88	17,115.62	5.73%	204,627.96
24-Jun-2001	111,189.50	99,464.32	11,725.18	5.73%	105,163.64
24-Jun-2002	111,189.52	105,163.64	6,025.88	5.73%	(0.00)
	555,947.52	471,831.00	84,116.52		

4. City Hall – Replace Existing Chillers & Associated Equipment (Infrastructure) Account Centre No. CF 809453012

24-Jun-97					113,333.00
24-Jun-98	26,707.53	20,213.55	6,493.98	5.73%	93,119.45
24-Jun-99	26,707.53	21,371.79	5,335.74	5.73%	71,747.66
24-Jun-2000	26,707.53	22,596.39	4,111.14	5.73%	49,151.27
24-Jun-2001	26,707.53	23,891.16	2,816.37	5.73%	25,260.11
24-Jun-2002	26,707.51	25,260.11	1,447.40	5.73%	0.00
	133,537.63	113,333.00	20,204.63		

5. Mountain Composite Roof Replacement Account Centre No. CF 319441014

Date	Total Payment	Principal	Interest		Balance Outstanding
24-Jun-97					65,000.00
24-Jun-98	15,317.60	11,593.10	3,724.50	5.73%	53,406.90
24-Jun-99	15,317.60	12,257.38	3,060.22	5.73%	41,149.52
24-Jun-2000	15,317.60	12,959.73	2,357.87	5.73%	28,189.79
24-Jun-2001	15,317.60	13,702.33	1,615.27	5.73%	14,487.46
24-Jun-2002	15,317.59	14,487.46	830.13	5.73%	0.00
	76,587.99	65,000.00	11,587.99		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
6. MacNab Recreation Centre – Building Envelope Repairs Account Centre No. CF 319441015					
24-Jun-97					52,065.00
24-Jun-98	12,269.40	9,286.08	2,983.32	5.73%	42,778.92
24-Jun-99	12,269.40	9,818.17	2,451.23	5.73%	32,960.75
24-Jun-2000	12,269.40	10,380.75	1,888.65	5.73%	22,580.00
24-Jun-2001	12,269.40	10,975.57	1,293.83	5.73%	11,604.43
24-Jun-2002	12,269.36	11,604.43	664.93	5.73%	0.00
	61,346.96	52,065.00	9,281.96		
7. Barrier Free Design Access – Recreation Buildings Account Centre No. CF 329441016					
24-Jun-97					196,065.00
24-Jun-98	46,203.77	34,969.25	11,234.52	5.73%	161,095.75
24-Jun-99	46,203.77	36,972.98	9,230.79	5.73%	124,122.77
24-Jun-2000	46,203.77	39,091.54	7,112.23	5.73%	85,031.23
24-Jun-2001	46,203.77	41,331.48	4,872.29	5.73%	43,699.75
24-Jun-2002	46,203.75	43,699.75	2,504.00	5.73%	0.00
	231,018.83	196,065.00	34,953.83		
8. Renovate the Fire Station at Woodward & Melvin (Infrastructure) Account Centre No. CF 809453011					
24-Jun-97					66,667.00
24-Jun-98	15,710.44	11,890.42	3,820.02	5.73%	54,776.58
24-Jun-99	15,710.44	12,571.74	3,138.70	5.73%	42,204.84
24-Jun-2000	15,710.44	13,292.10	2,418.34	5.73%	28,912.74
24-Jun-2001	15,710.44	14,053.74	1,656.70	5.73%	14,859.00
24-Jun-2002	15,710.42	14,859.00	851.42	5.73%	0.00
	78,552.18	66,667.00	11,885.18		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
9. Dundurn Castle Restorations – S. & W. Facades including Dovecote & Stables Account Centre No. CF 719441022					
24-Jun-97					1,726,000.00
24-Jun-98	406,741.14	307,841.34	98,899.80	5.73%	1,418,158.66
24-Jun-99	406,741.14	325,480.65	81,260.49	5.73%	1,092,678.01
24-Jun-2000	406,741.14	344,130.69	62,610.45	5.73%	748,547.32
24-Jun-2001	406,741.14	363,849.38	42,891.76	5.73%	384,697.94
24-Jun-2002	406,741.13	384,697.94	22,043.19	5.73%	0.00
	2,033,705.69	1,726,000.00	307,705.69		
10. Road & Sidewalk Reconstruction Program Local Roads – Phase I Account Centre No. CF 529542001					
24-Jun-97					1,149,908.00
24-Jun-98	270,981.98	205,092.25	65,889.73	5.73%	944,815.75
24-Jun-99	270,981.98	216,844.04	54,137.94	5.73%	727,971.71
24-Jun-2000	270,981.98	229,269.20	41,712.78	5.73%	498,702.51
24-Jun-2001	270,981.98	242,406.33	28,575.65	5.73%	256,296.18
24-Jun-2002	270,981.95	256,296.18	14,685.77	5.73%	0.00
	1,354,909.87	1,149,908.00	205,001.87		
11. Road & Sidewalk Reconstruction Program Account Centre No. CF 529642001					
24-Jun-97					1,000,000.00
24-Jun-98	235,655.35	178,355.35	57,300.00	5.73%	821,644.65
24-Jun-99	235,655.35	188,575.11	47,080.24	5.73%	633,069.54
24-Jun-2000	235,655.35	199,380.47	36,274.88	5.73%	433,689.07
24-Jun-2001	235,655.35	210,804.97	24,850.38	5.73%	222,884.10
24-Jun-2002	235,655.36	222,884.10	12,771.26	5.73%	0.00
	1,178,276.76	1,000,000.00	178,276.76		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
12. Queen Street Steps – Construction Account Centre No. CF 609449020					
24-Jun-97					243,098.00
24-Jun-98	57,287.34	43,357.82	13,929.52	5.73%	199,740.18
24-Jun-99	57,287.34	45,842.23	11,445.11	5.73%	153,897.95
24-Jun-2000	57,287.34	48,468.99	8,818.35	5.73%	105,428.96
24-Jun-2001	57,287.34	51,246.26	6,041.08	5.73%	-54,182.70
24-Jun-2002	57,287.37	54,182.70	3,104.67	5.73%	0.00
	286,436.73	243,098.00	43,338.73		
13. Road & Sidewalk Reconstruction Program (Infrastructure) Account Centre No. CF 809453008					
24-Jun-97					213,561.00
24-Jun-98	50,326.79	38,089.74	12,237.05	5.73%	175,471.26
24-Jun-99	50,326.79	40,272.29	10,054.50	5.73%	135,198.97
24-Jun-2000	50,326.79	42,579.89	7,746.90	5.73%	92,619.08
24-Jun-2001	50,326.79	45,019.72	5,307.07	5.73%	47,599.36
24-Jun-2002	50,326.80	47,599.36	2,727.44	5.73%	0.00
	251,633.96	213,561.00	38,072.96		
14. Road & Sidewalk Reconstruction Program (Infrastructure) Account Centre No. CF 809453009					
24-Jun-97					128,439.00
24-Jun-98	30,267.34	22,907.79	7,359.55	5.73%	105,531.21
24-Jun-99	30,267.34	24,220.40	6,046.94	5.73%	81,310.81
24-Jun-2000	30,267.34	25,608.23	4,659.11	5.73%	55,702.58
24-Jun-2001	30,267.34	27,075.58	3,191.76	5.73%	28,627.00
24-Jun-2002	30,267.33	28,627.00	1,640.33	5.73%	0.00
	151,336.69	128,439.00	22,897.69		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
15. Road & Sidewalk Reconstruction Program (Infrastructure) Account Centre No. CF 809453010					
24-Jun-97					1,374,833.00
24-Jun-98	323,986.76	245,208.83	78,777.93	5.73%	1,129,624.17
24-Jun-99	323,986.76	259,259.30	64,727.46	5.73%	870,364.87
24-Jun-2000	323,986.76	274,114.85	49,871.91	5.73%	596,250.02
24-Jun-2001	323,986.76	289,821.63	34,165.13	5.73%	306,428.39
24-Jun-2002	323,986.74	306,428.39	17,558.35	5.73%	(0.00)
	1,619,933.78	1,374,833.00	245,100.78		
16. Mohawk Sports Park Account Centre No. CF 629154022					
24-Jun-97					187,166.00
24-Jun-98	44,106.67	33,382.06	10,724.61	5.73%	153,783.94
24-Jun-99	44,106.67	35,294.85	8,811.82	5.73%	118,489.09
24-Jun-2000	44,106.67	37,317.25	6,789.42	5.73%	81,171.84
24-Jun-2001	44,106.67	39,455.52	4,651.15	5.73%	41,716.32
24-Jun-2002	44,106.67	41,716.32	2,390.35	5.73%	0.00
	220,533.35	187,166.00	33,367.35		
17. Baseball Facilities Development Account Centre No. CF 629254004					
24-Jun-97					27,840.00
24-Jun-98	6,560.65	4,965.42	1,595.23	5.73%	22,874.58
24-Jun-99	6,560.65	5,249.94	1,310.71	5.73%	17,624.64
24-Jun-2000	6,560.65	5,550.76	1,009.89	5.73%	12,073.88
24-Jun-2001	6,560.65	5,868.82	691.83	5.73%	6,205.06
24-Jun-2002	6,560.61	6,205.06	355.55	5.73%	0.00
	32,803.21	27,840.00	4,963.21		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
18. Construct Gage Park Facilities Building Account Centre No. CF 629064019					
24-Jun-97					40,620.00
24-Jun-98	9,572.32	7,244.79	2,327.53	5.73%	33,375.21
24-Jun-99	9,572.32	7,659.92	1,912.40	5.73%	25,715.29
24-Jun-2000	9,572.32	8,098.83	1,473.49	5.73%	17,616.46
24-Jun-2001	9,572.32	8,562.90	1,009.42	5.73%	9,053.56
24-Jun-2002	9,572.33	9,053.56	518.77	5.73%	0.00
	47,861.61	40,620.00	7,241.61		
19. T. B. McQueston Park Account Centre No. CF 629254005					
24-Jun-97					704,859.00
24-Jun-98	166,103.80	125,715.38	40,388.42	5.73%	579,143.62
24-Jun-99	166,103.80	132,918.87	33,184.93	5.73%	446,224.75
24-Jun-2000	166,103.80	140,535.12	25,568.68	5.73%	305,689.63
24-Jun-2001	166,103.80	148,587.78	17,516.02	5.73%	157,101.85
24-Jun-2002	166,103.79	157,101.85	9,001.94	5.73%	0.00
	830,518.99	704,859.00	125,659.99		
20. Chedoke Mountain Steps Account Centre No. CF 629449012					
24-Jun-97					34,584.00
24-Jun-98	8,149.90	6,168.24	1,981.66	5.73%	28,415.76
24-Jun-99	8,149.90	6,521.68	1,628.22	5.73%	21,894.08
24-Jun-2000	8,149.90	6,895.37	1,254.53	5.73%	14,998.71
24-Jun-2001	8,149.90	7,290.47	859.43	5.73%	7,708.24
24-Jun-2002	8,149.92	7,708.24	441.68	5.73%	0.00
	40,749.52	34,584.00	6,165.52		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
21. Lighting Safety – Improvements Account Centre No. CF 629454013					
24-Jun-97					134,033.00
24-Jun-98	31,585.59	23,905.50	7,680.09	5.73%	110,127.50
24-Jun-99	31,585.59	25,275.28	6,310.31	5.73%	84,852.22
24-Jun-2000	31,585.59	26,723.56	4,862.03	5.73%	58,128.66
24-Jun-2001	31,585.59	28,254.82	3,330.77	5.73%	29,873.84
24-Jun-2002	31,585.61	29,873.84	1,711.77	5.73%	0.00
	157,927.97	134,033.00	23,894.97		
22. Crown Point East/McAnulty – Phase VI Account Centre No. CF 429407001					
24-Jun-97					103,098.00
24-Jun-98	24,295.60	18,388.08	5,907.52	5.73%	84,709.92
24-Jun-99	24,295.60	19,441.72	4,853.88	5.73%	65,268.20
24-Jun-2000	24,295.60	20,555.73	3,739.87	5.73%	44,712.47
24-Jun-2001	24,295.60	21,733.58	2,562.02	5.73%	22,978.89
24-Jun-2002	24,295.58	22,978.89	1,316.69	5.73%	0.00
	121,477.98	103,098.00	18,379.98		
23. Gore Park Walkway Restoration Account Centre No. CF 629543010					
24-Jun-97					315,000.00
24-Jun-98	74,231.44	56,181.94	18,049.50	5.73%	258,818.06
24-Jun-99	74,231.44	59,401.17	14,830.27	5.73%	199,416.89
24-Jun-2000	74,231.44	62,804.85	11,426.59	5.73%	136,612.04
24-Jun-2001	74,231.44	66,403.57	7,827.87	5.73%	70,208.47
24-Jun-2002	74,231.42	70,208.47	4,022.95	5.73%	(0.00)
	371,157.18	315,000.00	56,157.18		

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
24. Playstructure Development (Infrastructure) Account Centre No. CF 809453013					
24-Jun-97					100,000.00
24-Jun-98	23,565.54	17,835.54	5,730.00	5.73%	82,164.46
24-Jun-99	23,565.54	18,857.52	4,708.02	5.73%	63,306.94
24-Jun-2000	23,565.54	19,938.05	3,627.49	5.73%	43,368.89
24-Jun-2001	23,565.54	21,080.50	2,485.04	5.73%	22,288.39
24-Jun-2002	23,565.51	22,288.39	1,277.12	5.73%	0.00
	117,827.67	100,000.00	17,827.67		
25. Creative Playground Account Centre No. CF 656652030					
24-Jun-97					400,000.00
24-Jun-98	94,262.14	71,342.14	22,920.00	5.73%	328,657.86
24-Jun-99	94,262.14	75,430.04	18,832.10	5.73%	253,227.82
24-Jun-2000	94,262.14	79,752.19	14,509.95	5.73%	173,475.63
24-Jun-2001	94,262.14	84,321.99	9,940.15	5.73%	89,153.64
24-Jun-2002	94,262.14	89,153.64	5,108.50	5.73%	(0.00)
	471,310.70	400,000.00	71,310.70		

Internal Financing Through Reserves
Owners' Share of Locals
Accounts Closed in 1995 for Initial Rating in 1996
Rate Used for Tax Roll 9.25% for 15 Year Amortization

Date	Total Payment	Principal	Interest 9.25%	Balance Outstanding
24-Jun-97				43,818.33
24-Jun-98	5,516.53	1,463.33	4,053.20	42,355.00
24-Jun-99	5,516.53	1,598.69	3,917.84	40,756.30
24-Jun-2000	5,516.53	1,746.57	3,769.96	39,009.73
24-Jun-2001	5,516.53	1,908.13	3,608.40	37,101.60
24-Jun-2002	5,516.53	2,084.63	3,431.90	35,016.96
24-Jun-2003	5,516.53	2,277.46	3,239.07	32,739.50
24-Jun-2004	5,516.53	2,488.13	3,028.40	30,251.37
24-Jun-2005	5,516.53	2,718.28	2,798.25	27,533.08
24-Jun-2006	5,516.53	2,969.72	2,546.81	24,563.36
24-Jun-2007	5,516.53	3,244.42	2,272.11	21,318.94
24-Jun-2008	5,516.53	3,544.53	1,972.00	17,774.40
24-Jun-2009	5,516.53	3,872.40	1,644.13	13,902.00
24-Jun-2010	5,516.53	4,230.59	1,285.94	9,671.41
24-Jun-2011	5,516.53	4,621.92	894.61	5,049.49
24-Jun-2012	5,516.56	5,049.48	467.08	0.00
	82,748.03	43,818.33	38,929.70	

The City of Hamilton
Treasury

Internal Financing Arrangements to be made for Owners' Share of Local Improvements Closed in 1995 for Initial Rating in 1996

Centre Number CF (1)	Street (2)	Side (3)	From (4)	To (5)	By–Law Number (6)	Total Cost (8)	Debenture Authority (9)	Owners' Portion of Costs (10)	Commutations (11)	Amount to be Debentured (12)
Independent Curb										
529221001	Upper Kenilworth Avenue	east	Landron Avenue	Limeridge Road	92–181	33,514.69	n/a	–		0.00
Walk and Combined Curb										
529423005	Brock Street	south	John North	24m east of Hughson North (frontage 10 Brock)	94–153	39,116.84	6,232.00	6,232.00		6,232.00
Walk Only										
529424016	Upper James Street	west	Rymal Road	Christopher Drive	94–151	76,543.17	37,876.00	37,875.77	11,595.34	26,280.43
Alleyway										
529325002	First north of Barton East		Tragina North	Weir North (east west portion)	94–089 (93–225)	29,116.74	5,225.00	5,225.00		5,225.00
529325003	Btwn Fairfield North & Paling		Britannia Avenue	north limit of 226 Fairfield and 255 Paling	94–090 (94–025)	36,867.18	11,076.00	11,076.00	4,995.10	6,080.90
						215,158.62	60,409.00	60,408.77	16,590.44	43,818.33
								Deduct: Commutations	16,590.44	
									43,818.33	43,818.33

Internal Financing Through Reserves

Owners' Share of Locals

Accounts Closed in 1996 for Initial Rating in 1997

Rate Used for Tax Roll 7.00% for 15 Year Amortization

Date	Total Payment	Principal	Interest 7.00%	Balance Outstanding
24-Jun-97				219,116.74
24-Jun-98	24,057.84	8,719.67	15,338.17	210,397.07
24-Jun-99	24,057.84	9,330.05	14,727.79	201,067.02
24-Jun-2000	24,057.84	9,983.15	14,074.69	191,083.87
24-Jun-2001	24,057.84	10,681.97	13,375.87	180,401.90
24-Jun-2002	24,057.84	11,429.71	12,628.13	168,972.19
24-Jun-2003	24,057.84	12,229.79	11,828.05	156,742.40
24-Jun-2004	24,057.84	13,085.87	10,971.97	143,656.53
24-Jun-2005	24,057.84	14,001.88	10,055.96	129,654.65
24-Jun-2006	24,057.84	14,982.01	9,075.83	114,672.64
24-Jun-2007	24,057.84	16,030.76	8,027.08	98,641.88
24-Jun-2008	24,057.84	17,152.91	6,904.93	81,488.97
24-Jun-2009	24,057.84	18,353.61	5,704.23	63,135.36
24-Jun-2010	24,057.84	19,638.36	4,419.48	43,497.00
24-Jun-2011	24,057.84	21,013.05	3,044.79	22,483.95
24-Jun-2012	24,057.83	22,483.95	1,573.88	(0.00)
	360,867.59	219,116.74	141,750.85	

Internal Financing Arragements to be made for Owners' Share of Local Improvements Closed in 1996 for Initial Rating in 1997

Centre Number CF (1)	Street (2)	Side (3)	From (4)	To (5)	By-Law Number (6)	Total Cost (8)	Debenture Authority (9)	Owners' Portion of Costs (10)	Commutations (11)	Amount to be Debentured (12)
Independent Curb										
529521002	Glenfern Avenue	south	Mountain Avenue	32m e'ly (flankage of 61 Mountain Avenue)	95-187	2,827.18	637.00	637.00	–	637.00
Roadway (with curbs & walks)										
529426009	Ferguson Avenue	both	Cannon Street	Barton Street	94-152	466,447.49	335,950.50	192,705.55	19,413.28	173,292.27
Walk Only										
529524020	Rymal Road	south	Upper James Street	Springside Drive	96-017 (95-155)	78,363.75	50,666.70	49,502.90	16,124.15	33,378.75
529624021	Solidarnosc Place	south	St. Olga Street	Barnesdale Avenue North	96-088	10,385.62	1,396.83	1,396.83	1,396.83	0.00
529324015	Upper Ottawa Street	east	Stone Church Road	275m n'ly	94-026	12,887.91	22,428.00	11,808.72	–	11,808.72
						570,911.95	411,079.03	256,051.00	36,934.26	219,116.74
								Deduct: Commutations	36,934.26	
									219,116.74	219,116.74

4.(e.)

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1997 June 10

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Appointment of an External Auditor

RECOMMENDATION:

(a) That the firm of MacGillivray Partners, Chartered Accountants, be continued as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, The Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc., and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1996 at a fee of $113.000 including completion of the audit of the City's Financial Report, but excluding G.S.T.

(b) That the by-law respecting "To Appoint An External Auditor" be approved by City Council.

(c) That the City Treasurer be directed to issue a Request for Proposal for external Audit Services for a period of up to five years, commencing in 1998 for the City of Hamilton, Local Boards, the Hamilton Hydro Electric System, and affiliated organizations.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Audit fees for 1997 chargeable by the firm of MacGillivray Partners, Chartered Accountants, for the City of Hamilton, Local Boards, the Hamilton Hydro Electric System, and all affiliated organizations amount to $113,000 in comparison to their 1996 audit fee of $109,000.

BACKGROUND:

City Council authorized the City Treasurer on 1992 September 29 to call for proposals for External Audit Services for a five-year term commencing with fiscal year 1993.

It was proposed that the audit service be reviewed annually and the appointment be made annually based on their performance until the completion of the five year term.

The fees payable are increased over the prior year to reflect inflation and the terms of the contract with Municipal Non-Profit (Hamilton) Housing Corporation wherein the audit fees are to be adjusted based on the number of projects that are active. The audit fee for Municipal Non-Profit (Hamilton) Housing may vary from year to year as more projects come on stream, as per the terms of the contract and the audit proposal which was approved by City Council 1992 September 29. Therefore, the audit fee for 1997 increased from the original $103,000 to $113,000.

City Council appointed the present auditor until 1996 December 31 and to complete the 1996 financial report under the City By-Law No. 96-149 dated August 29,1996. It is now recommended that the present auditor be continued for another year (1997).

Every five years the City issues a Request for Proposal for external audit services. The current five year term expires at the end of 1997. It is therefore being recommended that a Request for Proposal be prepared and issued in time for appointing an external auditor for the next five year term beginning in 1998. It is expected that the staff analysis and recommendation will be completed by the fall.

Attach

c.c. J. Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
D. Cummings, Secretary-Treasurer, Hamilton Hydro Electric System
G. Macaluso, Managing Director/CEO, Hamilton Entertainment and Convention Facilities Inc., Attention: J.A. Leuser
P. Baker, General Manager, Hamilton Parking Authority
K. Roberts, CEO, Hamilton Public Library
Ottawa Street B.I.A., Attention: Mr. Gord Culshaw, Chairperson

c.c. Westdale Village B.I.A., Attention: Ms. M.B. Ledden, Chairperson
Downtown Hamilton B.I.A., Attention: Ms. C. Jamieson, Chairperson &
Mr. C. Gorni, Executive Director
Barton General B.I.A., Attention: Mr. Keith Cody, Chairperson
International Village B.I.A., Attention: Mr. W. Schoen, Chairperson &
Mrs. Mary Pocius, Executive Director
Main West Esplanade B.I.A., Attention: Mrs. Maria Farrugia, Chairperson
Concession Street B.I.A., Attention: Ms. Betty Toplack, Chairperson
S. Glover, Secretary, Football Hall of Fame and Museum Management Committee
MacGillivray Partners, Chartered Accountants, Standard Life Centre
120 King Street West, Suite 650, Hamilton, Ontario, L8N 3M5
Attention: Mr. M. Cashion

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

Respecting:

APPOINTMENT OF AN EXTERNAL AUDITOR

WHEREAS Section 86(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, authorizes City Council to appoint one or more auditors who are licensed under the Public Accountancy Act for a term of five years or less;

AND WHEREAS the Council of The Corporation of the City of Hamilton on , in adopting Item of the Report of the Finance and Administration Committee appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor for the year ending December 31, 1997;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1997.

2. The firm of MacGillivray Partners shall also complete the 1997 Financial Report for The Corporation of the City of Hamilton.

3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, The Municipal Non-Profit (Hamilton) Housing Corporation, The Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc., and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.

4. The fee payable to the auditor shall be $113,000 for 1997. The fee shall be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as part of the regular fee.

PASSED this day of , 1997.

APPROVED AS TO FORM
LP for PNJ
CITY SOLICITOR

City Clerk

Mayor

6. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

JUN 6 1997

DATE: 1997 June 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Offer to Purchase - Sale of City Property
253-257 Kenilworth Avenue North (Former Tavern)
to 1140532 Ontario Inc. (Angelo Papastamos)

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, duly executed by 1140532 Ontario Inc. (Angelo Papastamos) on 1997 May 26 and scheduled to close on or before 1997 August 15, for the lands municipally described as 253-257 Kenilworth Avenue North, being Lots 45, 46 and 47, Block W, Registered Plan No. 395, Hamilton, having a frontage of 22.86 metres (75.0 feet) more or less, along the west side of Kenilworth Avenue North and a depth of 30.48 metres (100 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $60,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $6,000 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 6% on the $60,000 sale price be paid to Royal LePage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(e) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $60,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases). Upon closing the Purchaser will be responsible for payment of municipal taxes, which for 1997 are $17,096.

BACKGROUND:

The subject property was advertised for public sale on 1994 June 28 due to 3 or more years of realty tax arrears. The accumulated taxes then were $152,063.16. As no bids were received, under the Municipal Tax Sale Act 1984, the ownership vested with the City. The City registered a Notice of Vesting/Statutory Declaration on 1994 July 14 at the Land Registry Office. Responsibility for the disposition of the property was subsequently referred to the Real Estate Division of the Property Department.

The property was listed for sale on the MLS system of the Hamilton Real Estate Board during 1994. A City of Hamilton "For Sale" sign was affixed to the building in early 1995. On 1995 October 21, the property along with other City owned properties, was advertised for sale in the Hamilton Spectator.

On 1995 October 23, the City received an Offer to Purchase the property for $85,000, as is, scheduled to close on 1996 April 30. Council approved the sale on 1995 November 14. The Purchaser did not close the transaction and the City retained the $4,250 deposit. At the time, staff's appraised value was within the range of $90,000 to $100,000.

Since then, staff have shown the property to several interested parties.

The Real Estate Division received another Offer to Purchase on 1996 June 18 for $50,000, subject to conditions, which staff could not support.

On 1997 January 31 another Offer to Purchase was submitted for $35,000, which was declined by staff.

On 1997 May 19 an Offer to Purchase was received for $45,000. Staff responded that this was too low and a week later, in response, the interested party submitted a revised Offer at $60,000 (the subject of this report).

The building on the property is a part one storey and part two storey, brick and block structure. The original two storey building constructed of brick walls, poured concrete foundation and basement walls and wood floor/roof structure, was built in the 1930's. The second floor has an apartment and several rooms, in poor condition. In 1973, a concrete block one storey addition with concrete and steel floor/roof structure was constructed, thereby expanding the tavern. The first floor was known as the "Kenilworth House" for many years and more recently as the "Golden Bell Tavern". It too is in poor condition, particularly that area damaged by water from a leaking roof. The building has deteriorated during the last few years that it has been vacant and unheated. Substantial capital investment is required to renovate the facility in order to make it operational again.

The property contains asbestos and this fact has been disclosed in the Offer to Purchase. The Offer also contains a clause that the Purchaser acknowledges and agrees that there are no warranties and/or representations by the Vendor (City) whatsoever and the property is being purchased on an "as is" basis. Further, "the Purchaser acknowledges that he has relied entirely upon his own inspection and investigation with respect to the quantity, value and title of the property".

The property is zoned "H/S-837" Commercial. Special Provision No. 837 has the effect of prohibiting an automobile service station, a public garage and a car lot.

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) On 1995 March 14, City Council approved Item 6 of the 8th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property has placed a "For Sale" sign on the subject property which included the City's name and telephone number in March, 1995 after Council declared the property surplus, to inform the public that the City intends to sell the said subject land. Since 1997 March 20, on behalf of the City, Royal LePage Commercial Inc. has marketed the property for sale;

(c) the offered price of the subject property is $25,000 lower than the previous offer accepted by Council in 1995 November, however, staff recommends the offer be accepted by Committee and Council for the following reasons:

(i) the City has been attempting to sell the property for over two (2) years with limited interest shown, including the last two (2) months it has been listed by Royal LePage Commercial Inc. on behalf of the City;

(ii) the property is in very poor condition and has been continually getting worse due to roof leaks and lack of heat and renovation costs are now substantial;

(iii) the building contains asbestos which has to be properly dealt with;

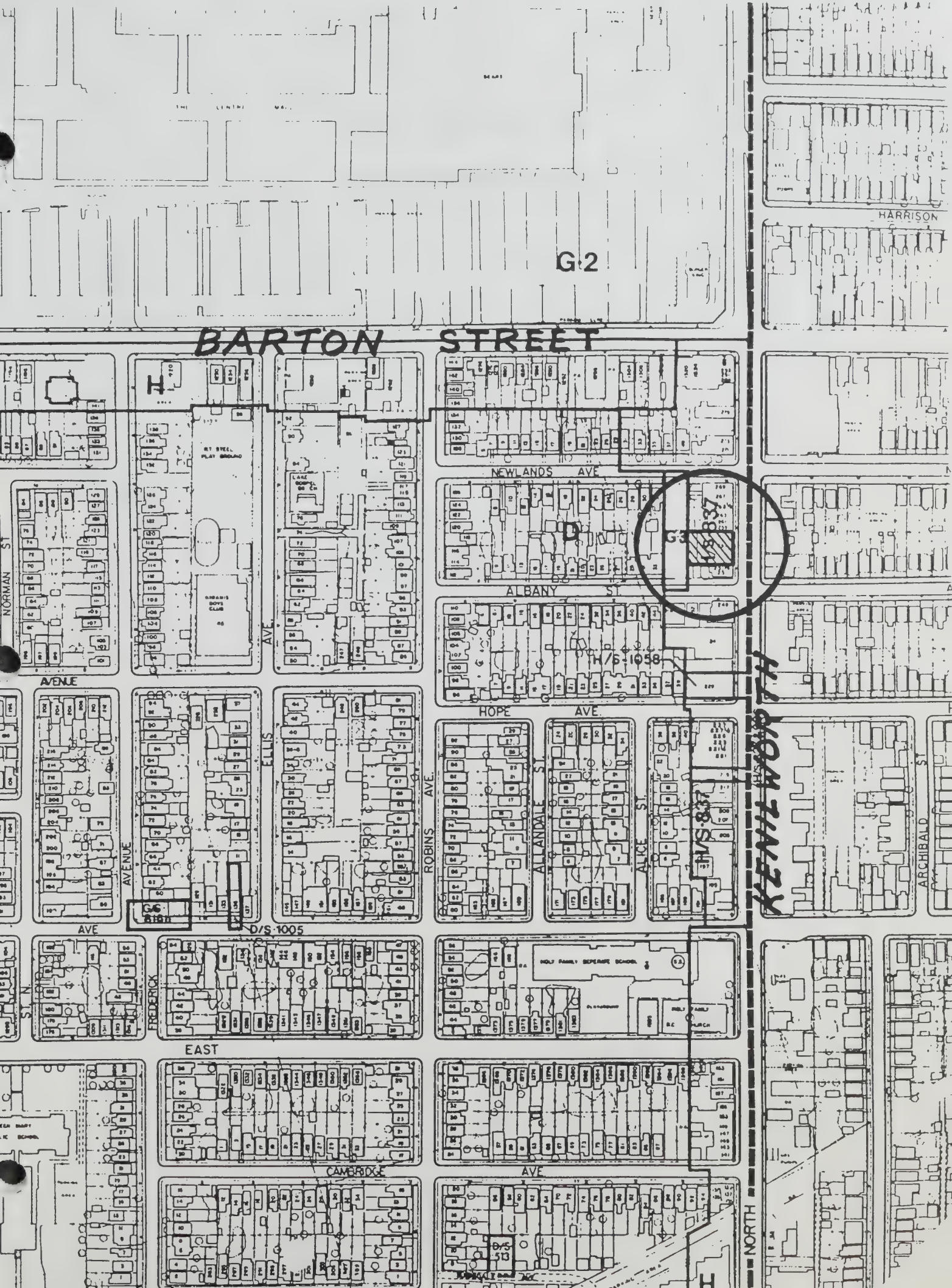
(iv) it will be several months before the tavern will be operational again because of substantial renovations required. Furthermore, additional time will be required for the owner to re-establish a regular cliental;

(v) there is some risk as to what level of municipal parking will remain available in the area for tavern customers; and,

(vi) The $60,000 amount offered is within the revised estimated appraised value.

KDA/nw

c.c. P. Noé Johnson, City Solicitor
A. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
R. Swan, Manager, Building Operations and Maintenance Division


G-2
BARTON STREET
H
NEWLANDS AVE
D
G3
837
ALBANY ST
H/S-1058
HOPE AVE
H/S-837
ELLIS AVE
ROBINS AVE
ALLANDALE ST
ALICE ST
ARCHIBALD ST
NORMAN ST
AVENUE
AVE
D/S-1005
FREDERICK ST N.
EAST
CAMBRIDGE AVE
NORTH
HARRISON

6. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: (a) Offer to Purchase City Property
8 Brantdale Avenue, Hamilton - Part of CarPark #20
Part 2, Plan 62R-14012, Purchaser: 852904 Ontario Inc.
(b) Offer to Purchase City Property
10 Brantdale Avenue, Hamilton - Part of CarPark #20
Part 1, Plan 62R-14012, Purchaser: Sam Bono Enterprises Ltd.

RECOMMENDATION:

(a) (i) That an Offer to Purchase (Tender Form), duly executed by 852904 Ontario Inc. (Sam Bono, President) on 1997 June 2 and scheduled to close on or before 1997 July 16, for the lands municipally described as 8 Brantdale Avenue, being Part 2, Plan 62R-14012, having a frontage of 9.144 metres (30 feet) more or less, by a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $21,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,

(ii) That the required deposit cheque in the amount of $2,100 be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) satisfactory notice has been given to the public of the intended sale;

(2) an appraisal of the fair market value of the real property intended to be sold was obtained on the 15th day of April 1997;

(3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(b) (i) That an Offer to Purchase (Tender Form), duly executed by Sam Bono Enterprises Ltd. on 1997 June 2 and scheduled to close on or before 1997 July 16, for the lands municipally described as 10 Brantdale Avenue, being Part 1, Plan 62R-14012, having a frontage of 9.327 metres (30.6 feet) more or less, by a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $23,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,

(ii) That the required deposit cheque in the amount of $2,300 be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) satisfactory notice has been given to the public of the intended sale;

(2) an appraisal of the fair market value of the real property intended to be sold was obtained on the 15th day of April 1997;

(3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total sum of $44,000 for both parcels be credited to Account Centre 00202 (Parking Authority Offstreet Reserve). These parcels are not currently separate and therefore not taxed individually, however, as small residential lots, estimated tax revenues are $800 per annum per lot.

BACKGROUND:

The subject property is a rectangular parcel measuring 18.47 metres x 30.48 metres (60.6 feet x 100 feet), fronting on the north side of Brantdale Avenue 26.82 metres (88 feet) west of Upper James Street that is being divided and sold as two (2) separate lots, (a) 30 feet wide and, (b) 30.6 feet wide. The property is part of a larger "L" shaped parcel that has frontage on both Brantdale Avenue and Upper James Street and has been used as a municipal parking lot for many years, operated by the Hamilton Parking Authority as CarPark #20. On 1995 December 20, the Hamilton Parking Authority advised the Real Estate Division that this property, among others, was deemed surplus to the requirements of the Authority. The subject portion of the site has been closed and blocked off over a year.

The subject parcel being sold as two (2) lots formerly was two (2) improved single family residential lots when the City made its acquisitions in the area in 1970 and 1971. The two one storey houses were demolished and the lands amalgamated with other City lands and put into use as a municipal parking lot.

The remainder of CarPark #20 with frontage on both Upper James Street and Brantdale Avenue is to be retained by the City and most of it will continue in operation as a municipal parking lot.

The Real Estate Division initiated a re-zoning application for the subject property on 1996 September 27 in order to change the zoning from "G-3" District (Public Parking Lots) to a modified "D" District (Urban Protected Residential - One and Two Family Dwellings) to provide for two (2) 30 foot lots.

At its meeting held Tuesday, 1996 December 10, City Council agreed to refer back Section 11 of the 20th Report for 1996 of the Finance and Administration Committee concerning the Offer to Purchase received from Mark Pillinini , executed on November 21st. Mr. Pillinini had offered to purchase the entire subject parcel (60.6 feet x 100 feet) for $51,000, conditional upon obtaining final approval for rezoning to permit two single family detached and/or two semi detached dwellings. On 1997 January 28, Council passed Item 1 of the 1st Report of the Planning and Development Committee, regarding the rezoning of the property. The manner in which the property was rezoned placed significant restrictions on maximum gross floor area of any dwelling to be built in the future and as a result, Mr. Pillinini withdrew and stated he had no further interest in purchasing the property at the $51,000 price.

On 1997 March 11, City Council approved By-law 97-044 re-zoning the subject property to "D/S-1373" allowing the two (2) 30 foot residential lots, subject to several conditions imposed to prevent the establishment of "monster homes" on the parcels (ie. conditions restricting building height and gross floor area).

After the rezoning was final on 1997 April 9, staff arranged for the sale of this property as two (2) potential lots, by tender, advertised in the Spectator for three (3) weeks from April 22nd to May 6th. Bids were opened on 1997 May 15 and Mr. Bono's companies were the successful (highest) bids. Thereafter, Offer to Purchase (Tender Form) documents were drafted with standard conditions to be executed by the two purchasing companies.

In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) On 1996 June 25, City Council approved Item 18 of the 12th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

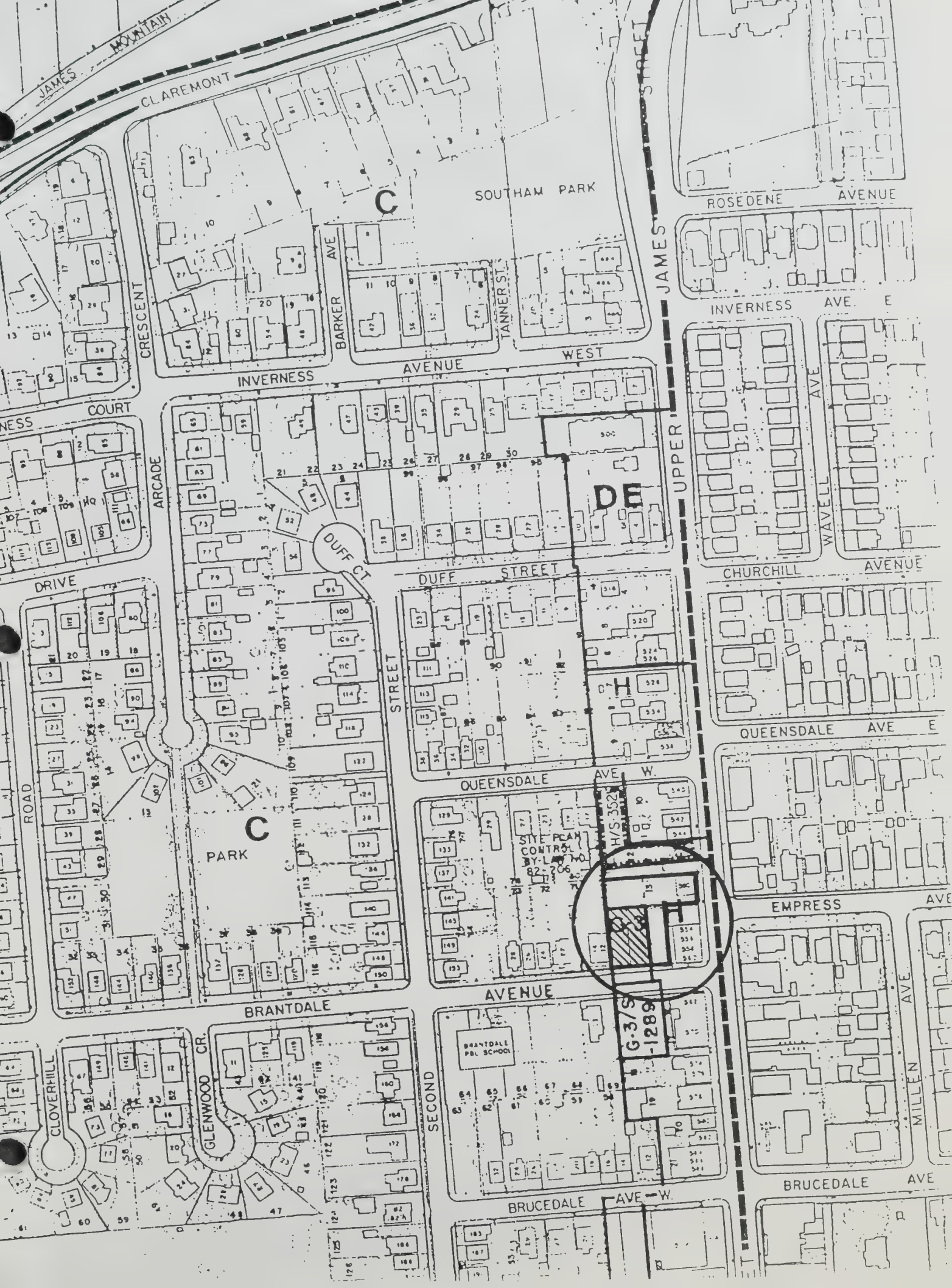
(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law 95-049, the Director of Property placed a Notice of "Property to be Sold by Tender" in the Spectator for three (3) consecutive weeks commencing 1997 April 22, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

Each of the two (2) purchasing companies controlled by Mr. Sam Bono (852904 Ontario Inc. and Sam Bono Enterprises Ltd.) plans to build a single family detached dwelling on it's respective lot.

KDA/nw

c.c. P. Noé Johnson, City Solicitor
A. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
P. G. Baker, General Manager, Hamilton Parking Authority


JAMES MOUNTAIN
CLAREMONT
SOUTHAM PARK
C
CRESCENT
BARKER AVE
TANNER ST.
JAMES STREET
ROSEDENE AVENUE
INVERNESS AVENUE WEST
INVERNESS AVE. E
COURT
ARCADE
DE
UPPER
DUFF CT
DUFF STREET
CHURCHILL AVENUE
WAVELL AVE
DRIVE
STREET
QUEENSDALE AVE W.
QUEENSDALE AVE E
ROAD
PARK
H/S 352
SITE PLAN CONTROL BY-LAW 82-206
EMPRESS AVE
BRANTDALE AVENUE
G-3/S -1289
BRANTDALE PUBLIC SCHOOL
CLOVERHILL
GLENWOOD CR.
SECOND
MILLEN AVE
BRUCEDALE AVE
BRUCEDALE AVE W.

6. (c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Offer to Purchase - Sale to Air Liquide Canada Inc.
125 Birmingham Street, Hamilton (.531 acres)

RECOMMENDATION:

(a) That City owned vacant land, known as 125 Birmingham Street, Hamilton consisting of .531 acres, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,

(b) That an Offer to Purchase, duly executed by Air Liquide Canada Inc. (ALC) on 1997 May 1 and scheduled to close on or before 1997 June 27, for the land illustrated as Part 1 on Reference Plan 62R-5666, fronting on the western limit of Birmingham Street, comprising .531 acres and known as 125 Birmingham Street, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $42,480 be credited to Account No. 22302 00001 (Suspense Account); and,

(i) That this Offer be accepted subject to several conditions set out in the said Offer, including the following conditions and the conditions in Appendix "A" to this report:

(1) Completion of this Agreement by ALC be conditional upon ALC and Stelco entering into and completing an agreement of purchase and sale pursuant to which Stelco conveys to the ALC the lands referred to municipally as 860 Burlington Street East, Hamilton, the parcels outlined in red on the sketch attached to the Agreement;

(2) Completion of the sale by the City be conditional upon:

(aa) Stelco releasing the City in a form, and upon terms satisfactory to the City, from any obligation or agreement between Stelco and the City under which the City had previously agreed to sell the land to Stelco;

(bb) the City and Stelco entering into a written amending agreement to modify the terms of the Industrial Drive Land Exchange Agreement to take into account the sale of the land from the City to ALC;

(ii) That the required deposit cheque in the amount of $4,248 be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) satisfactory notice has been given to the public of the intended sale;

(2) an appraisal of the fair market value of the real property intended to be sold was received on 1997 June 17;

(3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $42,480 be credited to Account No. 22302 00001 (Suspense Account).

This City owned vacant land was acquired over twenty-five (25) years ago for purposes of exchanging it for other land owned by Stelco required for Industrial Drive. In order to sell this land to Air Liquide Canada Inc., the City must first obtain a release from Stelco and this sale is expressly conditional on such release.

The $42,480 sale price recommended above is the fair market value of this industrial land, currently valued at the rate of $80,000. per acre.

BACKGROUND:

This department was approached by solicitors representing Air Liquide Canada Inc. (ALC) who would like to purchase .531 acres of City land in order to complete their assembly of adjacent land from Stelco and Hydro. This assembly would enable ALC to undertake a major expansion of their oxygen plant which services local steel industries. The sale of this vacant City owned land property together with ALC's purchase of abutting lands from Stelco, will result in a land assembly to carry out a $75 million expansion of ALC's existing facility. This in turn will create more jobs and taxes for the City.

The City's vacant land (125 Birmingham Street) was initially acquired as part of a proposed land exchange between Stelco and the City. Industrial Drive was constructed on Stelco land and in return for Stelco's land, the City was to sell 125 Birmingham Street to Stelco. As Stelco no longer appears to require this specific City property now sought by ALC, this sale to ALC is recommended subject to the said release from Stelco.

It is anticipated that recent interest in this City land and the said release with Stelco will facilitate finalization of a long planned land exchange between the City and Stelco. Numerous negotiations with Stelco since the 1970s have proven fruitless. The City Solicitor is prepared to answer inquiries regarding those negotiations. In the negotiations with Stelco regarding the said land exchange are several issues, including:

a) the sum of $372,000 in realty taxes (excluding interest) which have been paid by the City while Stelco was in possesion of some of the City lands intended to be exchanged with Stelco; and,

b) the fact that Industrial Drive has been assumed as a Regional Road by the Regional Municipality of Hamilton-Wentworth under By-law R77-78.

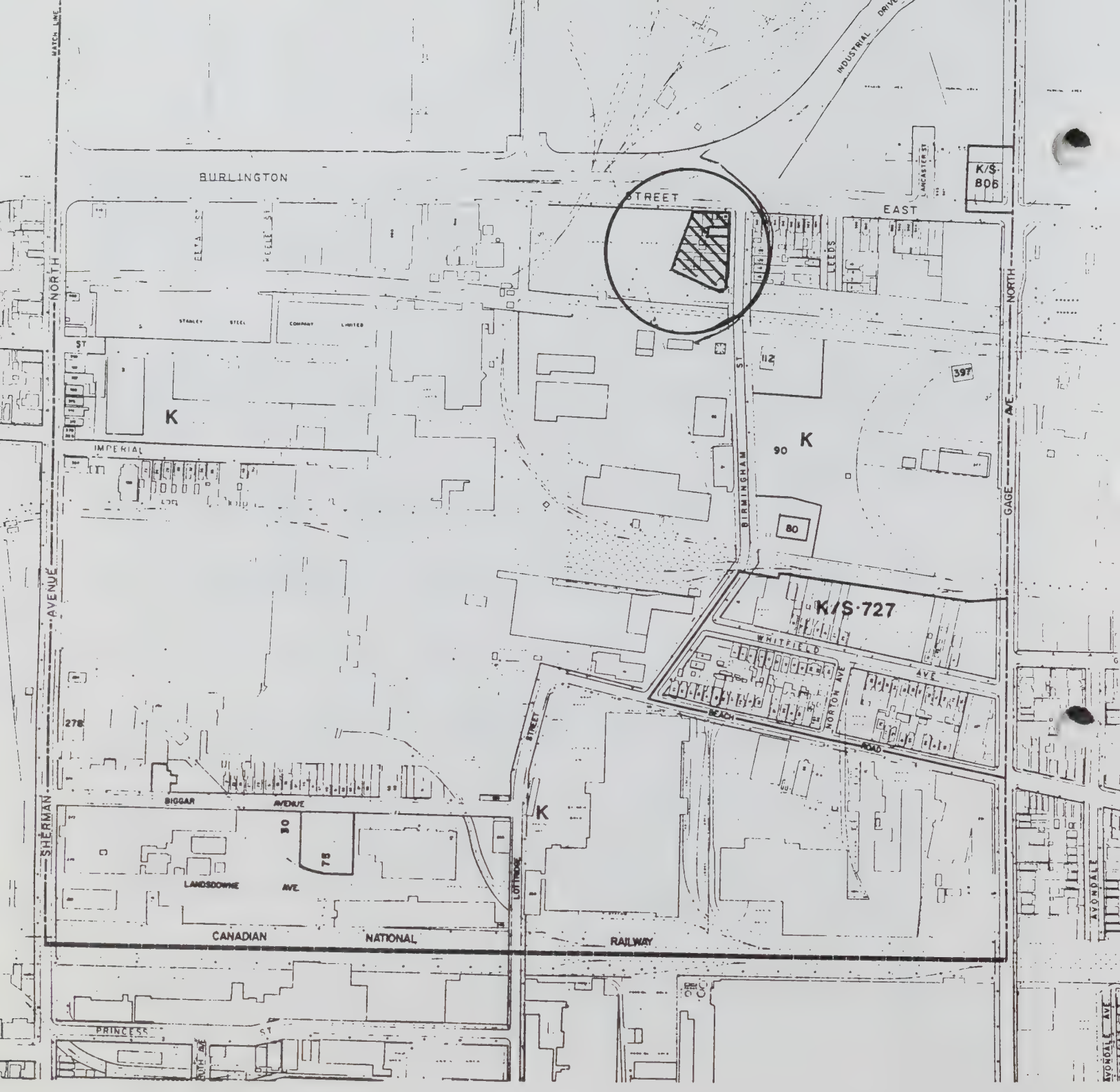
In compliance with the Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

(a) that if Recommendation (a) of this report is approved by this Committee on 1997 June 17, then 125 Birmingham Street is declared surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in Real Property Sales Procedural By-law No. 95-049, the Manager of the Real Estate Division, City Clerk's Department has placed a "For Sale" sign on the subject property which included the City's name and telephone number, to inform the public that the City intends to sell the said subject land;

(c) the offered price of the subject land, recommended above for approval, is at the value which has been determined through an appraisal of the subject's fair market value.

MCJW/nw
Attach.
c.c. Robert M. Morrow, Mayor
Alderman Bernie Morelli, Alderman, Ward 3
Alderman D. Drury, Alderman, Ward 3
P. Noé Johnson, City Solicitor
A. Ross, Treasurer
T. Daw, Manager of Revenues
K. M. Lau, Manager of Surveys, Roads Division



	81	80
70	71	72
48	126	35

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

INDUSTRIAL SECTO

ZONI

Neighbourhood Boundary

Zoning Boundary.

0 100m

SCALE 50m

Prepared for The City of Hamilton
by the Planning and Development Department

PLANNING UNIT NO 6203

SCHEDULE A
to the Agreement of Purchase and Sale between
Air Liquide Canada Inc. (ALC) and
The Corporation of the City of Hamilton (the City)
regarding the conveyance of 125 Birmingham St., Hamilton

1. **Paramountcy**

The provisions contained in this Schedule supersede any contrary terms contained in the City of Hamilton's standard form agreement to which this Schedule is attached.

2. **Completion Date**

This agreement shall be completed at 1:00 p.m. on the **20th day of June, 1997**, unless the parties agree, in writing, to an earlier date. But the Purchaser may delay closing for up to 90 days to accommodate ALC's purchase of the Ontario Hydro lands (clause 3 below) and ALC's purchase from Stelco Inc. (clause 4 below).

3. **Conditional Upon Ontario Hydro Acquisition**

Completion of this agreement by ALC is conditional upon ALC and Ontario Hydro entering into and completing an agreement of purchase and sale pursuant to which Ontario Hydro conveys to the ALC the lands immediately to the south of the City's lands being the lands described in Hydro Deed No. 75707 N.S. shown in yellow on the attached sketch.

4. **Conditional Upon Stelco Acquisition**

Completion of this agreement by ALC is conditional upon ALC and Stelco entering into and completing an agreement of purchase and sale pursuant to which Stelco conveys to the ALC the lands referred to municipally as 860 Burlington Street East, Hamilton, the parcels outlined in red on the sketch attached hereto.

5. **Stelco Release**

Completion of the sale by the City is conditional upon:

(a) Stelco releasing the City in a form, and upon terms satisfactory to the City, from any obligation or agreement between Stelco and the City under which the City had previously agreed to sell the land to Stelco;

(b) the City and Stelco entering into a written amending agreement to modify the terms of the Industrial Drive Land Exchange Agreement to take into account the sale of the land from the City to ALC.

6. **Declaration of Possession**

The City of Hamilton will deliver to the Purchaser, on or before closing, a statutory declaration on behalf of the City of Hamilton (in the Dye & Durham Form No. 129 (revised February, 1991) format) amended as required to apply to the transfer from the City to the Purchaser, in a form reasonably satisfactory to the Purchaser and its solicitors, providing evidence that the City of Hamilton has been in exclusive possession of Part 1 on 62R-5666 (except to the extent that Stelco occupied the lands) since its acquisition.

7. **Simultaneous Conveyances**

The ALC will exercise its best efforts to establish a closing time of 1:00 p.m. at the Hamilton Registry Office to complete its purchases from Stelco Inc. and Ontario Hydro. The City of Hamilton undertakes its best efforts to attend at the Hamilton Registry Office at 1:00 p.m. on the day of closing to complete its transfer to the ALC. It being the mutual intention that, so far as possible, ALC will complete its purchases from the City of Hamilton, Stelco Inc. and Ontario Hydro simultaneously.

8. **Authorizing Bylaw**

On closing the City will deliver a certified true copy of the Council's Resolution and confirming Bylaw authorizing the sale of 125 Birmingham Street, Hamilton to the ALC.

9. **GST Wash**

(a) The Vendor and the Purchaser warrant, each to the other, that, in accordance with Section 221 (2)(b) of the GST Tax Act,

(i) that both parties are registered under Subdivision d, the Vendor's GST Registration Number is #122 666 373 and the Purchaser's GST Number is R100767532; and,

(ii) that the property being acquired is not a supply of residential complex made to an individual;

(b) The Purchaser hereby certifies to the Vendor that the Purchaser is a registrant for purposes of Goods and Services Tax ("GST") pursuant to the Excise Tax Act (Canada) (the "Act"), as amended from time to time, under No. R100767532 and is entitled not to be required to pay GST to the Vendor on this transaction by virtue of section 221 (2)(b) of the Excise Tax Act (Canada). The Purchaser's GST registration has not been varied or revoked.

(c) It is therefore agreed in respect of the purchase and sale of this property, that the Vendor is exempt from the duty to collect from the Purchaser and remit to Revenue Canada any Goods and Services Tax;

(d) The Purchaser (ALC) covenants to the Vendor

(i) to complete and sign GST Form 60 and to file Form GST 60 and remit within the time period stipulated in the Act all GST, if any, payable in respect of the above-noted transaction, in accordance with section 228(4) of the Act; and

(ii) to indemnify and save harmless the Vendor as to any GST liability, penalty, interest or other amount for which the Vendor may become liable as a result of not having collected GST from the Purchaser on the closing of this transaction.

10. **Environmental - Phase II**

(a) Completion of this agreement by the Purchaser is conditional upon the Purchaser receiving a satisfactory Phase II Environmental Site Assessment audit report and a satisfactory Geotechnical Audit (which will include soil stability assessments, settlement analysis and pile driving analysis) to be performed by Trow Consulting Engineers, 428 Millen Road, Stoney Creek, Ontario, which assessment and audit are to be conducted in accordance with the requirements of the current Canadian Standards Association and the requirements of the Canadian Mortgage and Housing Corporation (hereinafter referred to as "environmental audit").

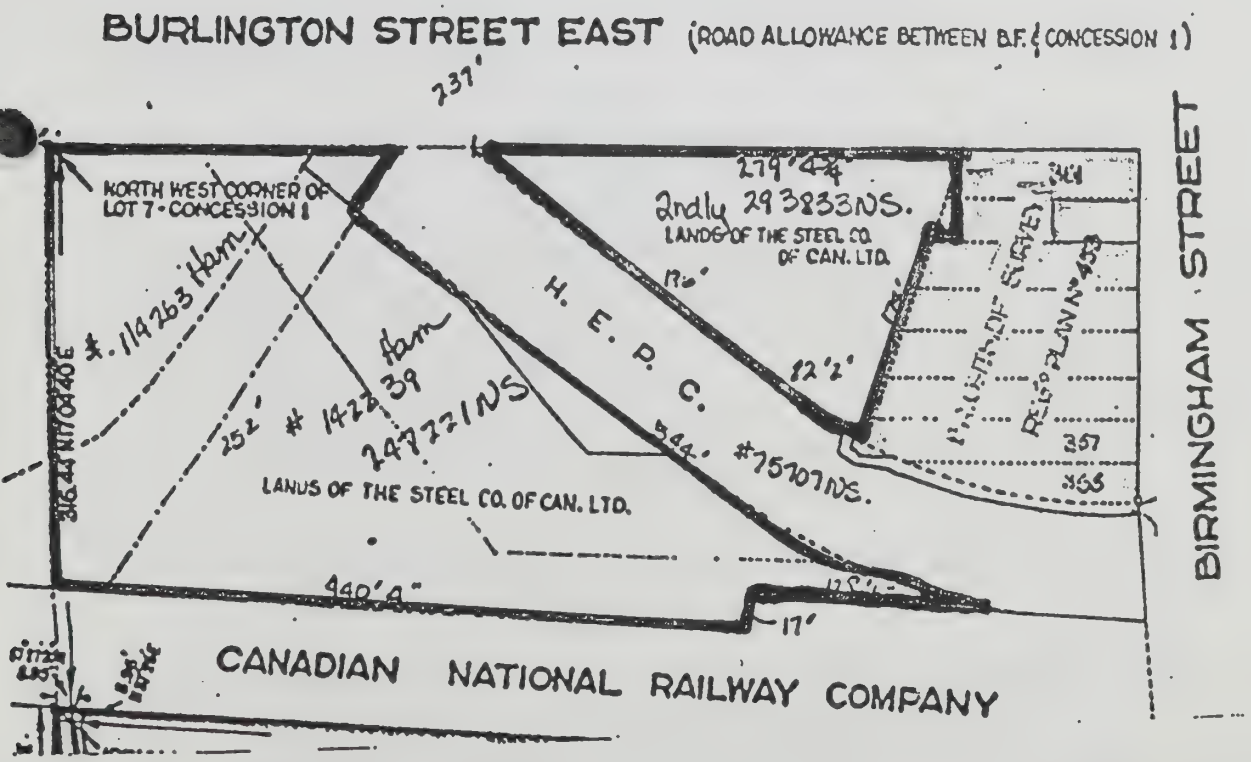
(b) If ALC, in its sole and subjective discretion, does not receive a satisfactory environmental audit then it may terminate this agreement by written notice to the City.

(c) In that event the City may, at its sole discretion, request a copy of the audit for its own use provided that the City reimburses ALC for one-half of the cost of the audit.

(d) The City authorizes ALC and its agents to enter upon the lands to conduct the environmental audit. ALC acknowledges that it will conduct its audit at its sole expense, at its sole risk and in compliance with all health and safety and related laws and regulations. ALC undertakes to treat all information contained in the environmental audit strictly confidential and

to be disclosed to others on a need-to-know basis only and on condition that those receiving information shall keep it strictly confidential. ALC hereby agrees to indemnify and save harmless the City from and against any liability imposed by law and from and against all actions, interests, claims, demands, costs, damages and expenses, whether direct or indirect, which the City may sustain or incur in connection with ALC or its agent entering upon the City's land.

(e) The City authorizes ALC and its surveyors to enter upon the lands to conduct such surveying work as it sees fit. ALC acknowledges that it will conduct its surveying work at its sole expense, at its sole risk and in compliance with all safety laws and regulations. ALC hereby agrees to indemnify and save harmless the City from and against any liability imposed by law and from and against all damages, interests, claims, demands, costs and expenses, whether direct or indirect, which the City may sustain or incur in connection with ALC and its surveyors entering upon the City's lands.



This sketch is included only for the purposes of identifying the Ontario Hydro and Stelco Inc. lands which are to be purchased at the same time that CLA purchases the City's lands. The City's lands are shown outlined in orange only for the purposes of showing the location of those lands in relation to the Stelco Inc. and Ontario Hydro lands. The lands to be conveyed are the lands designated as Part 1 on 62R-5666.

6. (d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Offer to Purchase - Sale of City Property
16 Magill Street - CarPark #65
Purchaser: 700-042 Ontario Inc. (D. Vranich)

RECOMMENDATION:

(a) That an Offer to Purchase Agreement, duly executed by 700-042 Ontario Inc., (Darko Vranich) on 1997 June 5 and scheduled to close on or before 1997 August 15, for the lands municipally described as 16 Magill Street, being Lot 19 and part of Lot 20, Registered Plan 251, designated as Part 2 on Plan 62R-6455, Hamilton, having a frontage of 23.11 metres (75.83 feet) more or less, and a depth of 33.82 metres (110.99 feet) more or less along the west side of Magill Street, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $55,000 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $10,000 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(d) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on the 17th day of June 1997;

(iii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The sum of $55,000 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).

The proposed purchaser intends to use the subject lands for private parking purposes which will generate an estimated $4,885 in tax revenue.

BACKGROUND:

The subject property is a vacant 23.11 metre (75.83 feet) by 33.82 metre (110.99 feet) rectangular site, formerly used as a municipal parking lot operated by the Hamilton Parking Authority as CarPark #65. At its meeting of 1997 February 17, the Hamilton Parking Authority declared surplus to their requirements as demand for the parking lot was relatively non existent. This lot was developed in 1983 on lands that were contiguous to the premises of Construction House of Hamilton Ltd., located at 370 York Boulevard. Upon receiving notice from the City of the proposed disposal of the land, Construction House expressed an interest purchasing the land as did a third interested party who could not respond with an executed Offer by the original deadline. Therefore, with the receipt of the subject Offer to Purchase Agreement and given the existing Committee and Council deadlines, this report is being submitted without receiving further Offers as a delay would render the Offer from 700-042 Ontario Inc. void.

However, should Construction House or the other interested party provide the City with an executed Offer to Purchase prior to the 1997 June 17 Committee meeting that matches or exceeds the one presently being recommended, this report will be withdrawn and in accordance with the By-laws of the Metropolitan Hamilton Real Estate Board all interested parties will be given an opportunity to submit their best possible Offer for consideration by the City.

In compliance with the Real Property sales Procedural By-law No 95-049, I am reporting to your Committee:

(a) on 1997 May 13, City Council approved Item 8 of the 10th Report of the Finance and Administration Committee declaring the subject lands surplus to the requirements of the City;

(b) that in accordance with the approved methods of Notice to the Public in real Property Sales Procedural By-law 95-049, the Manager of the Real Estate Division, City Clerk's Department has placed a "For Sale" sign on the subject property which included the City's name and telephone number on the 15th day of May 1997, to inform the public that the City intends to sell the said subject land;

(c) the sale of the subject land falls within the range of value which has been determined through an appraisal of the subject's fair market value.

KN/nw

c.c. P. Noé Johnson, City Solicitor
A. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
P. G. Baker, General Manager, Hamilton Parking Authority


Subject Property
A/S-569
A/S-450
E-3/S-138
E/S-333
E-3/S-1208a
BARTON
STREET
WEST
KING
QUEEN
NORTH
FLORENCE
TOM
HAMILTON CITY LIMITS
CANADIAN NATIONAL RAILWAYS FREIGHT YARDS

6. (e.)

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Mike Watson Real Estate Division City Clerk's Department	YOUR FILE:	
FROM:	Susan K. Reeder, Secretary Finance and Administration Committee	OUR FILE: PHONE:	 546-2753
SUBJECT:	Cogeco Cable Solutions - Cable and Equipment Pedestal Installation Hamilton Place Property - MacNab Street	DATE:	1997 May 21

As you are aware, the Finance and Administration Committee at its meeting held Tuesday, 1997 May 20th were in receipt of the above noted report.

As a result of concerns expressed by Alderman Wilson on this matter, it was agreed that this recommendation should be tabled in order that the Chairman of the Finance and Administration Committee and the Chairman of the H.E.C.F.I. Board of Directors could review this issue.

Accordingly the following matter was tabled:

(a) That approval be given to Cogeco Cable Solutions (formerly Rogers Cablesystems) to construct, maintain and operate underground cable network, and one 2'-7" x 4' equipment pedestal on that portion of the City owned property upon which Hamilton Place is situate, more particularly being along the eastern wall of the building (MacNab Street) 30' north of Main Street West; and,

(b) That an agreement between The Corporation of the City of Hamilton and Cogeco Cable Solutions be entered into, in a form satisfactory to the City Solicitor, prior to the commencement of the cable and equipment pedestal, installation; and,

(c) That the installation on the City property be performed to the satisfaction of the Manager of Real Estate Division, Property Department; and,

(d) That the term of the agreement be at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco Cable Solutions; and,

(e) That Cogeco Cable Solutions be required to pay for the City's reasonable administrative costs incurred in the course of arranging this agreement, together with the City's reasonable legal expenses; and,

(f) That Cogeco Cable Solutions shall pay to the City as consideration for the privilege of occupying City owned property, the sum of $100 per annum; and,

(g) That the Mayor and City Clerk be authorized to execute this agreement on behalf of the City.

Trusting that this confirmation is of assistance.

SKR

cc Alderman B. Charters, Chairman, Finance and Administration Committee
Alderman T. Anderson, Chairman, H.E.C.F.I. Board of Directors
Alderman D. Wilson

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 8 MAY 8 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Joe Pavelka, P. Eng.
Chief Administrative Officer

D. W. Vyce
Director of Property

SUBJECT: Cogeco Cable Solutions
Cable and Equipment Pedestal Installation
Hamilton Place Property - MacNab Street

RECOMMENDATION:

a) That approval be given to Cogeco Cable Solutions (formerly Rogers Cablesystems) to construct, maintain and operate underground cable network, and one 2'-7" x 4' equipment pedestal on that portion of the City owned property upon which Hamilton Place is situate, more particularly being along the eastern wall of the building (Macnab Street) 30' north of Main Street West; and,

b) That an agreement between The Corporation of the City of Hamilton and Cogeco Cable Solutions be entered into, in a form satisfactory to the City Solicitor, prior to the commencement of the cable and equipment pedestal, installation; and,

c) That the installation on the City property be performed to the satisfaction of the Manager of Real Estate Division, Property Department; and,

d) That the term of the agreement be at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco Cable Solutions; and,

e) That Cogeco Cable Solutions be required to pay for the City's reasonable administrative costs incurred in the course of arranging this agreement, together with the City's reasonable legal expenses; and,

Referred back
App'd by Committee 1997 May 20.

App'd by Council

f) That Cogeco Cable Solutions shall pay to the City as consideration for the privilege of occupying City owned property, the sum of $100 per annum; and,

g) That the Mayor and City Clerk be authorized to execute this agreement on behalf of the City.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Nominal annual revenue of $100 will be realized by the City. The Licensee will pay for the City's reasonable administrative and legal expenses incurred in arranging this agreement.

BACKGROUND:

Cogeco Cable Solutions, a company engaged in the business of electronic and fibre optic transmission of data for the purpose of communications, has approached the City with the request to construct, maintain, and operate cables and an equipment pedestal on that portion of City owned property occupied by the Hamilton Place Theatre. The exact location of the cable and equipment pedestal is shown within the circled area on the attached plan. The cable to be located underground will run in a north-south direction for a distance of approximately 50 feet along the east wall of Hamilton Place from a manhole in the sidewalk at the corner of MacNab and Main Street. The equipment pedestal measuring 4" high and 2'7 in width is to be located flush with the wall of Hamilton Place. Other utility pipes and meters are located along this wall as well.

The installation will not detract from the aesthetics of the building. The HECFI staff do not object to the location proposed for the pedestal. The installation will be carried out by qualified, bonded contractors and performed to the satisfaction of the Manager of Real Estate.

A formal written agreement will be finalized between the City and Cogeco prior to commencement of any work on the project. The agreement, among other things, will provide that Cogeco indemnify and save harmless the City against and from all actions, causes of action, interest, claims, demands, costs, damages, expenses or loss which the City may bear, suffer, incur or become liable for arising out of the City granting this privilege to Cogeco. The assumption of liability shall be in place during and after construction whilst the cable is in place.

Approval of this cable and equipment pedestal installation is not a permanent right, but is at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco by the City. A public liability and property damage insurance policy in the minimum amount of $3,000,000 naming the City as an insured party will be kept in force throughout the term of the agreement.

Cogeco will reimburse the City for its reasonable administrative and legal costs incurred in the course of arranging this agreement. Furthermore, Cogeco will pay an annual fee of $100 for the granting of this agreement.

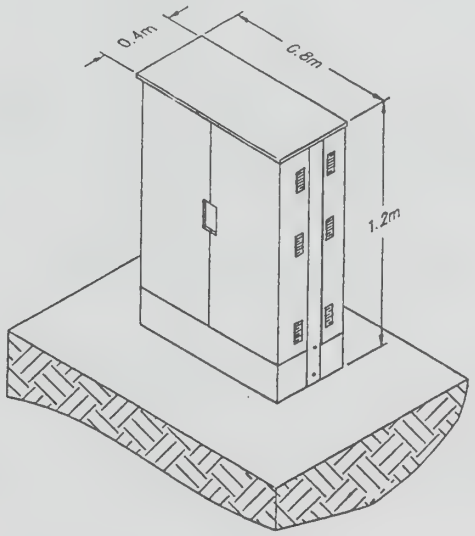
This installation will allow Cogeco to remove cable t.v. equipment currently placed in a Bell Canada manhole at the corner of Main Street West and MacNab Street, and to relocate it above grade. The pedestal and trenching adjacent to the wall of Hamilton Place will allow Cogeco to connect to an electrical source at a light standard above grade. As an added benefit, service technicians will have easier access to their equipment in the pedestal instead of having to tie up traffic at this busy intersection.

DWV/dcr
attch.
c.c. P. Noé Johnson, City Solicitor
Attention: L. Farr
M. Watson, Manager, Real Estate Division
Allan C. Ross, Treasurer
J. Cerio, Manager of Administration, Property Department

PARK STREET
PROPERTY LINE
DRIVEWAY
MAIN STREET WEST
HAMILTON PLACE THEATER
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
2m
A
B
1
2
3
LS
0.8m
9.8m
5.5m
4.9m
MACNAB STREET

SPE2048 PEDESTAL DETAIL

N.T.S.



CONSTRUCTION NOTES

(1) (2) TRENCH AND INSTALL TWO 10.6m SECTIONS OF NEW 75mmø (3") PVC TYPE 2 CONDUIT

(1) (4) TRENCH AND INSTALL 16.1m OF NEW 75mmø (3") PVC TYPE 2 CONDUIT CAPPED IN FM AND IN GROUND AT HYDRO POLE FOR FUTURE FIBER USE.

(2) (3) TRENCH AND INSTALL 6m OF NEW 75mmø (3") PVC TYPE 2 CONDUIT FOR POWER SUPPLY CABLE.

(A) EXISTING FLUSH TO GRADE

(B) PLACE NEW SPE2048 PEDESTAL

NOTE: REMOVE AND REPLACE INTERLOCKING BRICK AS REQUIRED

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

J. Johnston
Commissioner of Human Resources

SUBJECT: Employee Appointments and Termination Report

RECOMMENDATION:

That the Appointments and Terminations for all staff below the Department Head level which are forwarded to the Finance and Administration Committee, be forwarded for information and not as a recommendation.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no changes in financial or staffing consequences as a result of this recommendation.

BACKGROUND:

The Appointments and Termination listing for all staff below the Department Head level, which comes to the Finance and Administration Committee for recommendation to Council, is provided in a "Information" format. This is in keeping with the City of Hamilton's Procedural By-law 95-167 which gives the Finance and Administration Committee the responsibility to:

> report and/or recommend to City Council on all matters relating to City Personnel including the establishment and classification of new positions, appointments, dismissals, labour negotiations and grievances, policies related to salaries, wages and employee benefits.

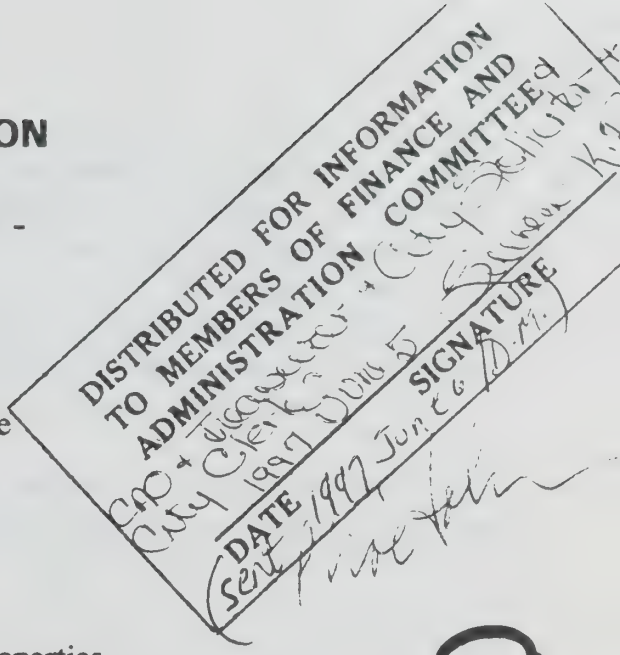
The Finance and Administration Committee recommends to City Council the appointment and termination of Department Heads and the Chief Administrative Officer. The Chief Administrative Officer and the Department Heads administer staffing below the Department Head level.

It has been the practice of the Finance and Administration Committee to recommend to City Council, on a monthly basis, all appointments and terminations which have occurred in that period. Given that the staffing actions in that report have been completed in accordance with applicable Corporate, collective agreement and employment law provisions, it is more appropriate, and in keeping with the procedural by-law to provide this listing, for all positions below the Department Head level, in an "Information" Report.

JGP:dd

CITY OF HAMILTON

- INFORMATION -



DATE: 1997 June 5

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Tax Collection
USARCO Limited and Frank Levy Properties
Toronto-Dominion Bank and Coopers & Lybrand Limited

8.

DISCUSSION:

The Toronto Dominion Bank holds a mortgage on property known as the Usarco property. In 1990 the mortgagor was in default and the Bank had the Court appoint a receiver. The property owed approximately $186,000 in realty taxes at the time of the Court Order. The Court Order took away the City's statutory remedies for outstanding realty taxes.

The State of Emergency due to a mercury problem on the site was called by the Mayor, in August 1993, following which the City attempted to recapture its costs. In the process of collecting the City's costs, we became aware of the Court Order. The City had never received notice of the judicial proceedings, other than we were estopped from registering the property in tax arrears. During the period of the receivership no payments were made in respect of the realty taxes. As of May 13, 1997 the accumulated realty taxes were $2,588,000.00.

In November 1996 the City received its first notification of pending court action. The City Solicitor, with the concurrence of the City Treasurer, retained Lee Pinelli to seek status and make representation at the most recent court application. Although the City was not a party to the proceedings, we seized this opportunity by motion to redress previous harm and recoup some of the arrears. Mr. Pinelli had previously advised us on the Court appointed receivers responsibilities for tax arrears at 606 Aberdeen Avenue (Rothwell Properties). We continue to pursue our remedies beyond the tax sale for capturing outstanding realty taxes. This will be reported on subsequently.

As you can see from the decision below, the City's position has been upheld, with the direction for payment of our legal costs and the sum of $1,860,000.

DECISION OF THE COURT:

The decision of Mr. Justice Rosenberg, dated June 2, 1997 (attached hereto) in respect of the motion made by the City for payment to it, on account of realty taxes owed, of monies previously paid to the Toronto-Dominion Bank in 1992 and monies yet to be paid to the Toronto-Dominion Bank by the court appointed receiver, Coopers & Lybrand Limited, is as follows:

(a) the sum of $900,000.00 paid to the Toronto-Dominion Bank in 1992 is to be paid back to the Receiver with interest at prime from the time of receipt to the time of repayment;

(b) the net proceeds received by the Receiver ($1,860,000.00) are to be paid by the Receiver to the City on account of realty taxes owed in respect of the properties owned by Frank Levy and USARCO Limited; and

(c) the City is entitled to its costs against the Toronto-Dominion Bank after assessment on a party and party basis.

CHRONOLOGY:

In July of 1990 the Toronto-Dominion Bank (the "Bank") commenced action against Frank Levy and his company, USARCO Limited, relating to default under mortgages secured against the following properties: 371 Wellington Street North, 363 Wellington Street North, 675 Strathearne Avenue North, 725 Strathearne Avenue North, and 735 Strathearne Avenue North. The Bank further made application for an order appointing Coopers & Lybrand Limited as receiver to dispose of all assets of Frank Levy and USARCO Limited. At the commencement of the receivership, the combined realty taxes owed to the City in respect of the five (5) properties was 186,000.00.

The Receivership Order obtained on October 11, 1990 provided that Coopers & Lybrand Limited (the "Receiver") was to dispose of the assets rather than to continue operations; that Coopers had the power but not the obligation to make payments to those creditors having priority to the mortgages of the Bank; and that no action, application or other proceeding could be commenced or continued without first obtaining permission from the court. This latter stipulation effectively prevented the City from taking any steps to collect realty taxes owed in respect of the properties which accrued during the receivership.

The Receiver proceeded to sell assets of USARCO Limited and Frank Levy and to regularly report to the Court but did not provide notice of its actions to the City. In July 1992, the Receiver was authorized by the Court to pay to the Bank $900,000.00 received from the sale of various assets. In 1994 application was made, without notice to the City, to reduce the ambit of the receivership by deleting the properties at 675 Strathearne Avenue North, 361 Wellington Street North, and 371 Wellington Street North on the basis that the properties were not saleable.

Overtures were commenced in 1993 by a Archie Leach to purchase the lands at 625 and 635 Strathearne Avenue North. It was as a consequence of those overtures that disclosure was made to the Court in 1995 of the realty taxes outstanding. On May 1, 1996 these two properties were sold for $375,000.00 to a company of which Archie Leach is a principal. The properties were sold subject to the realty taxes and a limited ($60,000) indemnity to the Receiver and the Bank in respect of any claims that might be made against them by the City for realty taxes. With the sale of these properties, all assets remaining in the receivership had been disposed. The receiver was ready to apply for an end to the Court Order.

In November, 1996 the City was served with court materials by the Receiver. The Receiver, in the court materials, made the request for discharge and for authority to make final payment of some $960,000.00 remaining in the receivership to the Bank. On May 14, 1997 (delayed from a December date) the City opposed the payment of the remaining monies and those already paid to the Bank in 1992 on the basis that the City was entitled because of a "super priority" accorded under the Municipal Act and further that the Receiver in performing its duty owed a duty not only to the Bank but to all creditors, including the City. The judgment of Mr. Justice Rosenberg, set out above, were released on June 2, 1997.

The judgment, while specific to the circumstances, has important ramifications and will likely affect the status given by receivers to realty taxes owed and owing on properties under their mandate. The reasons of Mr. Justice Rosenberg clearly provide that in the instance of court appointed receiverships, receivers owe a duty to all parties with an interest not merely the party that caused the appointment. Due to the impact of the decision, there is the possibility that the Toronto-Dominion Bank may appeal to the Court Appeal. However, as of the date of this report no such indication has yet been received.

We will monitor and report any further court applications. Meanwhile, we will take appropriate action, supported by this decision, in our efforts to collect outstanding tax arrears.

cc: A.C. Ross, City Treasurer
J.G. Pavelka, CAO

Court File No. B237/91

ONTARIO COURT (GENERAL DIVISION)

COMMERCIAL LIST

B E T W E E N:

TORONTO-DOMINION BANK	)	*Mr. Neil C. Saxe* for the Receiver
	)	Coopers & Lybrand Limited
Plaintiff	)	
	)	*Mr. Michael J. MacNaughton* for
- and -	)	the Toronto-Dominion Bank
	)	
USARCO LIMITED and FRANK LEVY	)	*Mr. Lee A. Pinelli and N. Smith*
	)	for the City of Hamilton
Defendant	)	
	)	*Heard*: May 14, 1997

ROSENBERG J.:

NATURE OF PROCEEDINGS

There were three motions:

1. A motion by Coopers & Lybrand Limited in its capacity as Receiver for:

   (i) approval of its activities and its fees and expenses;

   (ii) directions with respect to the distribution of the funds which the Receiver holds (approximately $960,000.00); and

   (iii) the discharge of the Receiver.

2. A motion by the Corporation of the City of Hamilton (the "City") which included requesting

   (i) an order that the sum of $900,000 previously distributed by the Receiver to the Toronto-Dominion Bank (the "Bank") be paid to the City; and

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(ii) an order that the sum of approximately $960,000 in the hands of the Receiver be paid to the City in priority to the secured claims of the Bank.

3. A motion by the Bank for an order that the Bank is entitled to the aforesaid sums of $900,000 and $960,000 in priority to the claims of the City.

The City also claimed priority with regard to any further funds realized by the Receiver.

ISSUE

The fundamental issue is whether the City or the Bank have priority and should receive the funds realized by the Receiver from the receivership.

The City had taken the position that it was entitled to priority over the Receiver for the Receiver's costs and disbursements. However, in the course of argument, that claim was abandoned. The Receiver is entitled to the approval of its activities, its fees and expenses and to its discharge after implementation of my decision. The Receiver's motion in that regard was unopposed.

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THE FACTS

Background

For many years Usarco Limited ("Usarco") carried on business in Hamilton as a scrap metal dealer. Usarco also carried on a steel plate recycling business, a ferrous and non-ferrous chopping business, an ingot manufacturing business and a rod production business. Usarco operated in five properties in Hamilton:

Property	**Owner**
363 Wellington Street North	Frank Levy
371 Wellington Street North	Usarco
675 Strathearne Avenue	Frank Levy
725 Strathearne Avenue	Frank Levy
735 Strathearne Avenue	Usarco

Two of the five properties are owned by Usarco. The other three properties are owned by Frank Levy, the principal of Usarco.

The Toronto-Dominion Bank was Usarco's banker. At the time that the Bank applied to the court for the appointment of the receiver, Usarco's indebtedness to the Bank exceeded $18 million.

As security for Usarco's obligations the Bank holds, among other things:

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(a) a registered general security agreement dated December 22, 1987 charging all of Usarco's property;

(b) a registered $3,000,000 demand debenture charging all of Usarco's property;

(c) a registered general assignment of book debts;

(d) mortgages on the real property owned by Usarco (i.e. 371 Wellington Street North and 735 Strathearne Avenue); and

(e) guarantees of Usarco's debts to the Bank provided by Frank Levy (the principal of Usarco) which are secured by mortgages upon certain real property owned by Frank Levy (i.e. 363 Wellington Street North, 675 Strathearne Avenue and 725 Strathearne Avenue).

The action and the Appointment of the Receiver

In July 1990 after unsuccessful attempts by the Bank to work with Usarco and because of Usarco's defaults, the Bank commenced an action (the "Action") against Usarco and Frank Levy. In the Action, the Bank seeks, among other things, the repayment of Usarco's indebtedness. At the time that the Action was commenced Usarco owed the Bank in excess of $18 million. Interest continues to run on that debt at rates ranging from the Bank's prime rate plus 1/2 percent per year to 22 percent per year. To date the Bank has recovered (subject to the terms of a refund agreement between the Bank and the Receiver)

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$900,000 on account of Usarco's indebtedness to the Bank. Usarco's debt to the Bank is now far in excess of $20 million.

The Bank applied to the Court for an order appointing Coopers & Lybrand Limited as receiver (the "Receiver") to dispose of the property subject to the Bank's security.

The Receiver was appointed by Order of Borins J. dated October 11, 1990. The terms of the Appointment Order were exceptional and were prompted by concerns about the environmental state of Usarco's properties.

The salient elements of the Order are as follows:

(a) no power to carry on business - the Receiver was appointed as receiver only and not as receiver and manager;

(b) property limited - the Receiver was appointed as such only in respect of the property subject to the Bank's Security;

(c) power, but no obligation, to make payments - the Receiver was empowered and authorized but not directed to make payments to persons having prior mortgages, charges or encumbrances upon the Assets and to pay any debts, charges or expenses of Usarco or Frank Levy;

(Emphasis added)

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(d) no power to occupy premises - the Order specifically prevented the Receiver from occupying or taking management, charge, control or possession of the Assets;

(e) ownership remained with Usarco and Frank Levy - the Order specifically directed that ownership of the Assets remained with Usarco and Frank Levy and, subject to certain terms, possession, charge, management and control of assets also remained in and with them;

(f) no proceedings without leave - the Order provides that no action, application or other proceedings shall be taken or continued against Usarco or the Receiver without leave of the Court first being obtained upon seven days' written notice to the Receiver. The order did not affect the rights of the Ministry of the Environment to institute proceedings against Levy, Usarco or its officers and directors pursuant to the *Environmental Protection Act*, the *Ontario Water Resources Act* and the regulations made thereunder;

(g) the Order provides that it is reserved to any interested party to apply to this Court for further or other orders upon seven days' written notice to the Receiver; and

(h) the Order provides that the tenants of any of the Lands do attorn to and pay their rents in arrears and accruing rents to the Receiver but that the Receiver

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shall not be obligated and shall not be deemed to be obligated to fulfill any obligations of Usarco or levy to any such tenants.

The application before Borins J. was made without notice to the City and the City received no notice of the applications of the Receiver to the Court or the approval of any of the reports of the Receiver until the Receiver's report of December 3, 1993.

The Activities of the Receiver

(a) The Receiver's March 1992 Report to the Court

In March of 1992 the Receiver reported to the Court on its activities to date. That report described in detail the actions taken by the Receiver and the recoveries that it made in respect of various of Usarco's personal property including its accounts receivable, inventory and other property.

The Receiver's March 1992 Report also described in detail the Receiver's extensive efforts to dispose of Usarco's business en bloc, to dispose of Usarco's and Frank Levy's real property and to address the environmental issues relating to that real property.

As of the time the Receiver's March 1992 Report was prepared, only one offer had been received in respect of any of the real property. That was a cash offer in the amount of

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$525,000 for the Wellington Street properties and the equipment located thereon. However, that offer was withdrawn upon the offeror learning of the property taxes payable.

(b) The Receiver's July 1992 Report to the Court

In July 1992 the Receiver sought and obtained the approval of the Court to enter into an agreement with the Bank pursuant to which the Receiver was authorized to pay $900,000 to the Bank. The amount paid to the Bank was subject to refund on certain conditions. The Bank entered into a refund agreement which provided that:

> In the event that the Payment (or a portion thereof) is required by the Receiver
>
> (a) to satisfy the anticipated or actual costs of the receivership; or
>
> (b) in the event that a court of competent jurisdiction makes an order declaring that all or a portion of the Payment is subject to security or claim ranking in priority to the security held by the Bank,
>
> the Bank shall forthwith upon written request therefor refund to the Receiver the amount requested by the Receiver. ...

(c) Receiver's Report to the Court dated November 15, 1993

Among other things, the Receiver's November 15, 1993 Report to the Court described an Agreement of Purchase and Sale between Archie Leach in Trust ("Leach") and the Receiver in respect of the so called South Strathearne Property (735 Strathearne Avenue

- owned by Usarco) and the so called Leased Lands (725 Strathearne Avenue - owned by Frank Levy).

One of the terms of the Agreement of Purchase and Sale between Leach and the Receiver was that the purchaser would be responsible for all property tax arrears.

The agreement with Leach was subject to a condition, in his favour, that he is able to reach a reasonable arrangement with the City with respect to property tax arrears.

The Agreement of Purchase and Sale between the Receiver and Leach was approved by Order of Ground J. dated November 15, 1993.

(d) Receiver's Report to the Court dated December 3, 1993

Pursuant to the Receiver's Report to the Court dated December 3, 1993, the Receiver sought the amendment of the Appointment Order to reduce the scope of the receivership so as to terminate the receivership save and except with respect to the South Strathearne Property, the Leased Land (the property subject to the Agreement with Leach), any personal property located upon the South Strathearne Property or the Leased Land and any accounts receivable, claims, demands, debts or chose in action of Usarco or to which the Receiver was then entitled.

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The Receiver's motion in respect of its third Report was made on notice to the City. This was the first notice that the City had of the receivership or any of the proceedings before the Court or in the receivership. The notice to the City was not made because of the tax arrears owing to the City but because the City claimed that the receiver was responsible for certain costs incurred by the City relating to the Wellington Street properties.

(e) The Receiver's Report to the Court dated February 11, 1994

As is set out in the Receiver's Report to the Court dated February 11, 1994, the Motion in respect of the partial termination of the receivership was adjourned in December 1993 as a consequence of concerns raised by the Ministry of the Environment.

The Ministry of the Environment's concerns were resolved through the sale by the Receiver of certain of Usarco's equipment for $25,000 and the devotion of that sum to environmental concerns with respect to the Wellington Street property.

By Order of Farley J. the receivership was reduced by deleting the unsold properties from the receivership. The receivership continued in respect of the south Strathearne Property and the Leased Lands in light of the outstanding agreement of purchase and sale between Leach and the Receiver.

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The Receiver also made reports to the Court dated August 10, 1994 and September 28, 1995. However, these related only to the negotiations with Leach which were not finalized.

(f) The Receiver's Report to the Court dated March 15, 1996

In that report the Receiver reported that the sale to Leach had been completed and the Receiver showed in its statement of receipts and disbursements that it would be setting out a net receipt from the sale to Leach of $375,000 after commissions and expenses. Leach was responsible for and assumed the tax arrears on the property purchased. He has not paid the taxes as of the date of the hearing before me. Leach provided a limited indemnity to the Receiver and the Bank in respect of any claims that might be made against them in respect of realty taxes.

The Receiver's report showed receipts and disbursements as follows:

COOPERS & LYBRAND LIMITED
RECEIVER AND MANAGER
USARCO LTD.

SUMMARY OF RECEIPTS AND DISBURSEMENTS
AS AT JUNE 30, 1996

RECEIPTS	$
Sale of Inventory	541,800.00
Sale of Property	375,000.00
Accounts Receivable	635,768.43
Rental of Premises	978,868.60
Rental of Premises - Laberge	89,840.32

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Dofasco Inc. - Property Tax	115,245.23
Tax Refund	50,822.60
Insurance Refund - Fire	89,041.96
Workers' Compensation Refund	10,672.00
D&B Settlement	16,666.67
AIM Settlement (Commissions & AR)	157,034.00
Reimbursement of Costs	8,933.62
Sale of Condominium	150,984.87
Sale of Bonds	139,213.80
Sale of Equipment	25,000.00
State of Israel Bonds - Interest	34,258.65
Interest Earned	164,800.32
GST Received	6,737.50
Cash on Hand	1,150.26
Transfer from U.S. Account	0.00
U.S. Exchange	0.00
Miscellaneous	14,772.65
TOTAL RECEIPTS	3,606,611.48

DISBURSEMENTS

Receiver's Fees	467,374.52
Repayment to Bank	900,000.00
Security & Lock	267,638.39
Alarm Equipment-Wellington St.	4,911.75
Consulting Fees	31,585.26
Utilities-Wellington Street North	100,216.90
Utilities-733 Strathearne Avenue	6,784.69
Utilities - 675 Strathearne Avenue	13,685.47
Environmental Assessment	33,065.95
Environmental Audit-Proct&Redf	25,000.00
Plastic Waste Study	12,513.00
Legal Fees	110,756.34
Receiver General GST Paid	4,597.17
Repairs & Maintenance	7,892.36
Insurance	42,416.00
Commissions	0.00
Telephone	4,408.66
Appraisal Fees	350.00
Pension Plan Administrator	509,557.14
Advertising	1,599.11
Computer Charges	2,440.00

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Photocopy	938.00
Courier & Postage	1,241.55
Travel Expense	721.13
Bank Charges	366.28
Payroll Services	131.00
GST	1,527.83
Rent Paid Back to 1158929 Ontario Inc.	8,750.00
Miscellaneous	
796.80	
TOTAL DISBURSEMENTS	2,561,238.30
EXCESS RECEIPTS OVER DISBURSEMENTS	1,045,373.18
REPRESENTED BY:	
Cash in Bank	17,452.16
Term Deposit	1,027,921.02
	1,045,373.18

The court was advised and it is not disputed that the amount available in total has decreased to $1,006,000 and that after reserves the Receiver is in a position to distribute approximately $960,000 as well as dealing with the $900,000 previously paid to the Bank.

DECISION

Without criticising the Receiver or Mr. MacNaughton as counsel for the Bank and sometimes counsel for the Receiver, the receivership has been conducted as if it were a private receivership by the Receiver for the Bank rather than a court appointed receiver. Even the indemnity from Leach with regard to the realty taxes is given both to the Receiver and the Bank. Mr. MacNaughton on behalf of the Bank argued that the position is analogous

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to a second mortgagee serving notice on tenants to attorn the rents to the second mortgagee. The funds that the second mortgagee thus realizes can be applied on account of the second mortgage until such time as the first mortgagee takes steps to protect its position. This analogy does not apply to the present situation. The City is prevented from taking any steps because of the order of this court. Even more significant is the duty owed by the Receiver to represent all of the creditors.

In the case of *Panamerica de Bienes y. Servicious S.A. v. Northern Badger Oil & Gas Ltd. et al.* (1991), 82 D.L.R. (4th) 280 the Alberta Court of Appeal stated in part at pp.292-3:

> A receiver appointed by the court must act fairly and honestly as a fiduciary on behalf of all parties with an interest in the debtor's property and undertaking. The receiver is not the agent of the debtor or the creditor or of any other party, but has the duty of care, supervision and control which a reasonable person would exercise in the circumstances. The receiver may be liable for failure to exercise an appropriate standard of care. These points have been made in many cases starting in 1905 with *Plisson v. Duncan* (1905), 36 S.C.R. 647. The decision of Viscount Haldane in *Parsons v. Sovereign Bank of Canada* (1912), 9 D.L.R. 476, [1913] A.C. 160 (P.C.), which has been frequently quoted, emphasizes the independence of the receiver from those who procured the appointment.
>
> It is also clear that the receiver takes full responsibility for the management, operation and care of the debtor's assets, but does not take legal title to them. That point has been made in a number of decisions including that of Lamer J. (as he then was) speaking for the court in *Federal Business Development Bank v. Québec (Commission de la santé* et de la sécurité du travail) (1988), 50 D.L.R.(4th) 577, [1988] 1 S.C.R. 1061, 84 N.R. 308. At p.582, he said:

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> ... the immovable in the case at bar is property of the bankrupt within the meaning of the *Bankrupt Act*. Even if the trustee takes possession of the immovable before the bankruptcy, the bankrupt remains owner of his property. The trustee who has seized an encumbered immovable cannot claim to have a right of ownership over that property: he has only the rights of a creditor under a pledge or hypothec. This court has ruled this way twice in *Lafontaine Apts. v. Larue*, [1931] 2 D.L.R. 12, [1931] S.C.R. 7 *sub nom, Laliberté v. Larue*, 12 C.B.R. 436, and *General Trust of Canada v. Roland Chalifoux Ltée*, [1962] S.C.R. 456.

A further factor affecting the obligation of a court-appointed receiver is the receiver's status as an officer of the court: the standard required because of that status is one of meticulous correctness. In *Alta. Treasury Branches v. Invictus Fin. Corp.* (1986), 42 Alta. L.R. (2d) 181, 68 A.R. 207 (Q.B.), Stratton J. (as he then was) said that the Receiver's obligations "reach further than merely acting honestly". He quoted with approval the statement of Wilson J. in *Fotti v. 777 Management Inc.* (1981), 2 P.P.S.A.C. 32 at p.37, [1981] 5 W.W.R. 48, 9 Man. R. (2d) 142 (Q.B.). (Emphasis added)

> ... the receiver is an officer of the Court and in his discharge of that office he may not, in the name of the Court, lend his power to defeat the proper claims of those on whose behalf those powers are exercised. Clothed as he is with the mantle of this Court, his duties are to be approached not as the mere agent of the debenture holder, but as trustee for all parties interested in the fund of which he stands possessed. (Emphasis added)

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At the time of the appointment of the Receiver the total tax arrears were approximately $186,000. Those tax arrears have increased and the latest statement shows the total tax arrears to be $2,588,000. In my view the Receiver would not be acting in a meticulously correct manner if during the term of receivership the Receiver realized some $1,900,000 while paying nothing on account of taxes and allowing tax arrears to accumulate and increase in the amount of some $2,500,000. The Receiver has not even paid on account of realty taxes the amount paid to the Receiver under the leases as contribution to realty taxes.

In the case of *Re Philip's Manufacturing Ltd.* (1992), 12 C.B.R. (3d) 149 the British Columbia Court of Appeal stated at p.154:

> 1. A receiver-manager appointed by the court in a debenture-holder's action is an officer of the court responsible to the court and not to the holder of the debenture at whose instance the appointment is made: *Parsons v. Sovereign Bank of Canada*, [1913] A.C. 160 (P.C.); *Royal Trust Co. v. Montex Apparel Industries Ltd.*, [1972] 3 O.R. 132, 27 D.L.R. (3d) 551, 17 C.B.R. (N.S.), 45(C.A.).
>
> 2. A receiver-manager so appointed owes fiduciary duties to all parties, including the debtor: *Panamericana de Bienes y Servicios S.A. v. Northern Bsadger Oil & Gas Ltd.*, [1991] 5 W.W.R. 577, 81 Alta. L.R. (2d) 45, 8 C.B.R. (3d) 31, 81 D.L.R. (4th) 280, 70 C.E.L.R. (N.S.) 66, 117 A.R. 44, 2 W.A.C. 44 (C.A.), and cases there referred to.

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It is not disputed that the City's claim for taxes result in a lien in priority to the Bank. Section 382 of the Municipal Act, R.S.O. 1990, c.M.45 provides:

> The taxes due upon any land with costs may be recovered with interest as a debt due to the municipality from the owner or tenant originally assessed therefor and from any subsequent owner of the whole or any part thereof, saving that persons recourse against any other person, and are a special lien on the land in priority to every claim, privilege, lien or encumbrance by any neglect, omission or error of the municipality or of any agent or officer, or by want of registration.

One other factor that makes this application unusual but reflects on the equities between the parties is the concern about the environment. The Bank and the Receiver were careful to make certain that the order of Borins J. did not make either the Bank or the Receiver subject to the strict requirements that might be ordered by the Ministry of the Environment with regard to cleaning up any pollution of the property. These requirements can be most onerous. It was prudent of the Bank and the Receiver to have the appointment in the nature of a liquidator and not as an occupier or owner. However if the City attempted to sell and if a purchaser were unable to be found the city would become the owner and subject to those onerous requirements. This is particularly relevant in the present case since it is already known from the Receiver's reports that there are no purchasers that have been located and likely none that can be located for the properties in question. It is also known that there may be serious environmental problems with the properties.

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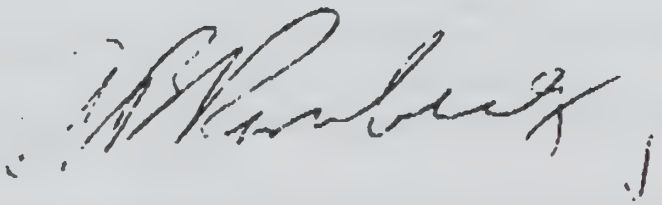
The Municipal Act, R.S.O. 1990, c.M.45, section 400 gives the City recourse to chattels owned by the taxpayer and similarly other sections of the Act allow the City to collect rentals.

It is not necessary for the Receiver to proceed under these sections of the Municipal Act on behalf of the City because the Court has already given the Receiver all rights to dispose of the chattels and to collect the rents. Accordingly it is not appropriate to deprive the City of the rights to the proceeds of the sale of the chattels or the collection of rents on the grounds that it could have taken steps to collect them and has not.

For all of the foregoing reasons and in the peculiar circumstances of this case, it is appropriate that the net proceeds realized by the Receiver (especially in this case since they are less than the taxes that accrued during the receivership) should be paid to the City. Accordingly the Bank will pay back to the Receiver the sum of $900,000 paid to it together with interest at the prime bank rate from the time of receipt to the time of repayment to the Receiver and all of the net funds realized by the Receiver shall be paid to the City on account of taxes. The City shall also be entitled to its costs of these proceedings against the Bank after assessment thereof on a party and party basis.

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I wish to make it abundantly clear that in so deciding I am not criticising the actions of the Receiver or Mr. MacNaughton. The situation is an unusual one and neither the Receiver nor Mr. MacNaughton could be expected to predict that the City was entitled to priority for all monies realized.



JUN 0 2 1997

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Court File No. B237/91

ONTARIO COURT (GENERAL DIVISION)

COMMERCIAL LIST

B E T W E E N:

TORONTO-DOMINION BANK

Plaintiff

- and -

USARCO LIMITED and FRANK LEVY

Defendant

REASONS FOR JUDGMENT

ROSENBERG J.:

RELEASED: JUN 0 2 1997

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2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 June 17
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the special meeting held on Tuesday, 1997 May 13th

(ii) Minutes of the regular meeting held on Tuesday, 1997 May 20th

(iii) Minutes of the special meeting held on Tuesday, 1997 May 27th

B. DIRECTOR OF CULTURE & RECREATION

(i) Award of Contract - Replacement of City Hall Roof Phase 2

(ii) Award of Contract - Replacement of Fire Panel/P.A. System Library

(iii) Closure of Property Department Capital Projects

C. CITY SOLICITOR

(i) By-law to Amend Schedule 4 of Licensing By-law 93-069 respecting Taxi-cab Brokers and Human Rights Policy

(ii) By-law - Improvements to the Fire Department Radio System

D. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) Replacement of Two (2) Tractor/Loaders, Units 9511 and 9530, Fleet Services

(ii) Replacement of Five (5) Mid-Size, Four Door Sedans
Units 1491, 1492, 1493, 1494 and 1496, Fleet Services

E. CITY CLERK

18 Main Street East, south/west corner of Main and Hughson Street South - DeSantis Group Inc. Property

F. TREASURER

Reallocate Excess Debenture proceeds and other financing arrangements

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1997 May 13
6:00 o'clock p.m.
Room 233, City Hall

A. (i)

A Special Meeting of the Finance and Administration Committee was held.

Present:	Alderman B. Charters, Chairman Alderman D. Ross, Vice-Chairman Mayor R. M. Morrow Alderman D. Wilson Alderman C. Collins Alderman D. Drury Alderman M. Kiss Alderman V. Agro
Regrets:	Alderman T. Anderson
Also Present:	Alderman G. Copps Alderman M. Caplan Alderman F. Eisenberger Alderman F. D'Amico Alderman H. Merling J. Pavelka, Chief Administrative Officer J. Johnston, Commissioner of Human Resources Susan K. Reeder, Secretary

A G E N D A

The Chairman introduced Wes Shoemaker, the newly appointed Fire Chief.

IN CAMERA AGENDA - Personnel Issue

The Committee agreed to move In Camera to discuss matters of a private and confidential nature.

The Committee moved back into regular session and approved the following:

CHIEF ADMINISTRATIVE OFFICER - Director of Property's position

(a) That the Director of Property's position with an annualized cost of approximately $122,500 including salary, benefits and expenses be eliminated; and,

(b) That this annual operating cost of $122,500 be credited as part of the $275,000 base reduction that the Property Department is responsible for determining for 1997; and,

(c) That the $58,000 spent to date of this expenditure be offset through underspending in both the Building Operations and Maintenance Division and in the Real Estate Division; and,

(d) That the transition funding of $229,170 for the severance agreement be charged to the Reserve for Contingencies.

CHIEF ADMINISTRATIVE OFFICER - Reorganization of the Property Department

(a) That the Manager of Building Operations and Maintenance and his Division report to the Director of Culture and Recreation effective Wednesday, 1997 May 14; and,

(b) That the Manager of Administration report to the Director of Culture and Recreation effective Wednesday, 1997 May 14; and,

(c) That the Administrative Assistant II, report to the City Clerk, effective Wednesday, 1997 May 14; and,

(d) That the Manager of Real Estate and his Division report to the City Clerk, effective Wednesday, 1997 May 14; and,

(e) That the Chief Administrative Officer and the Director of Culture and Recreation and the Chief Administrative Officer and the City Clerk review the integration of these Divisions with the aim of further reducing positions and report to the 1997 August 19th Finance and Administration Committee meeting.

ADDED - ALDERMAN D. ROSS

Alderman Ross spoke to the Committee concerning a request he had received for a donation for an Information booklet being compiled in conjunction with "Chrysalis - a Student Art Exhibit" being sponsored by Westmount Secondary School.

The Committee approved the following:

(a) That the City of Hamilton participate as a donor in the amount of $300 towards the publication of an information booklet about the artists, their entry piece and photograph of the work of "Chrysalis - A Student art exhibit" being sponsored by Westmount Secondary School; and,

(b) That funding for this expenditure be charged to the Advertising and Promotion Account No. CH 56302-12001.

4. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 May 13

Tuesday, 1997 May 20
1:30 o'clock p.m.
Room 233, City Hall

A. (ii)

The Finance and Administration Committee met.

Present:	Alderman B. Charters, Chairman Alderman D. Ross, Vice-Chairman Alderman D. Wilson Alderman C. Collins Alderman D. Drury Alderman M. Kiss Alderman V. Agro Alderman T. Anderson
Regrets:	Mayor Robert M. Morrow - City business
Also Present:	Alderman M. Caplan Alderman F. Eisenberger Alderman H. Merling J. Pavelka, Chief Administrative Officer A. Ross, Treasurer P. Noé Johnson, City Solicitor Acting Fire Chief J. Cardwell M. Watson, Real Estate Division, City Clerk's Department L. King, Building Commissioner D. Farquhar, Public Works and Traffic Department B. Calder, H.E.C.F.I. L. Farr, Law Department R. Fair, Director of Culture and Recreation Susan K. Reeder, Secretary

A G E N D A

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) City of Hamilton -ats- John; Ontario Court (General Division) Action #9431/95

(a) That the City settle Ontario Court (General Division) Action # 9431/95 by the payment to the Plaintiffs, Edna and Leslie John of the sum of $6,582, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 9431/95 be dismissed, on consent, without costs.

(ii) City of Hamilton -ats- Helen Semenuk; Court of Appeal File #C14230

That the City, by the payment to the Plaintiff, Helen Semenuk, of the sum of $6,955, including GST, satisfy the award of costs on Court of Appeal File C14230.

(iii) City of Hamilton -ats- Morgan; Ontario Court (General Division) Action #072/97

(a) That the City settle Ontario Court (General Division) Action # 072/97 by the payment to the Plaintiff, Mary Morgan of $2,500, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 072/97 be dismissed without costs.

(iv) City of Hamilton -ats- Walter Henry Ireson; Ontario Court (General Division) Small Claims Court Action No. 8488/96

(a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 8488/96 by the payment to the Plaintiff, Walter Henry Ireson of the sum of $350, inclusive of all damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Small Claims Court Action No. 8488/96 be dismissed without costs.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its special meeting held on Tuesday, 1997 April 29th and the minutes of its regular meeting held on Tuesday, 1997 May 6th, and approved these minutes as circulated.

B. TREASURER

(i) Supply and Delivery of Xerographic White Paper

The Committee was in receipt of a report from the Treasurer dated 1997 May 1, respecting the above noted matter and approved the following:

That a purchase order be issued to Grand & Toy, Hamilton, for the supply and delivery of xerographic white paper to various departments as and when required during 1997, being the lowest of eight (8) tenders received in accordance with specifications issued by the Hamilton Board of Education on behalf of the City of Hamilton and members of the Hamilton-Wentworth Co-op Purchasing Group and financed through various approved accounts.

(ii) Supply and Delivery of Janitorial Paper Products to various departments as required during 1997

The Committee was in receipt of a report from the Treasurer dated 1997 May 1, respecting the above noted matter and approved the following:

That a purchase order be issued to Unisource Canada Inc., Mississauga, for the supply and delivery of janitorial paper products as and when required during 1997, being the lowest of eleven (11) bids received in accordance with specifications issued by the Purchasing Department and the Vendor's tender, and be financed through various approved accounts.

(iii) Status of Development Charge Funds

The Committee was in receipt of a report from the Treasurer dated 1997 May 12, respecting the above noted matter and approved the following:

That the analysis of the transactions of the City's Development Charges Reserve for the year 1996 entitled "Development Charge Reserve Fund Statement of Continuity for the period 1996 January 1 to 1996 December 31", attached herewith and marked Appendix "A", be received.

C. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 May 16, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - The Hamilton-Wentworth Roman Catholic Separate School Board - mill rate request - letter dated 1997 May 2nd

(b) Information Report - Manager of Fleet Services - Tenders C8-97 - report dated 1997 April 29th

(c) Information Report - Acting Fire Chief - 1996 Hamilton Fire Department Annual Report - report dated 1997 May 8th

(d) Information Report - Requested report respecting fire prevention - Acting Fire Chief - report dated 1997 May 9th

3. MAYOR ROBERT M. MORROW - City representation at Dieppe - Alderman W. McCulloch

In the Mayor's absence, the Chairman spoke to the Committee respecting the above noted matter, and the Committee approved the following:

(a) That Alderman W. McCulloch, the City's Representative on the Hamilton Veterans Committee, be authorized to attend the 55th Anniversary of the Raid on Dieppe being held in Dieppe, France on 1997 August 16-23; and,

(b) That funding for this expenditure be charged to the Legislative Travel Account No. CH55201 10010.

4. TREASURER

(a) 1996 Financial Report

The Committee was in receipt of a report from the Treasurer dated 1997 May 8, respecting the above noted matter.

The City Auditors were in attendance and responded to general questioning by the Committee.

The Committee approved the following:

(a) That the 1996 Financial Report for the City of Hamilton, previously distributed to members of City Council, and available from the Committee Secretary upon request, be approved; and,

(b) That the City Treasurer publish the required 1996 Financial Information, based on the audited Report, in the Hamilton Spectator within the next 60 Days.

(b) Presentation - Current Value Assessment

Tom Bradbury of the City Treasurer's Office, along with the City Treasurer, gave a presentation to the Committee on the status of The Fair Municipal Finance Act, 1997 - A Transition for 1998 and beyond. Copies of the visual presentation were distributed to members of the Committee.

Considerable questioning then ensued. The Committee agreed to receive the presentation for information purposes.

ADDED - TREASURER - Provision of Payroll Supervision Services to the Hamilton Board of Education

The Committee was in receipt of an added report from the Treasurer dated 1997 May 20, respecting the above noted matter.

The Committee approved the following:

(a) That the temporary provision of Payroll Supervision Services to the Hamilton Board of Education by the City of Hamilton for a period of time until approximately 1998 March, be endorsed; and,

(b) That the City Treasurer be authorized to execute Letters of Intent, in a form approved as to content by the City Solicitor, with appropriate Board staff, to govern the arrangement including the provision of indemnification to the City by the Board and reimbursement of the City by the Board for the services provided.

5. HAMILTON MUNICIPAL RETIREMENT FUND SUB-COMMITTEE - H.M.R.F. Custodial Services Agreement

The Committee was in receipt of a report from the Chairman of the Hamilton Municipal Retirement Fund Custodial Services Agreement dated 1997 May 12, respecting the above noted matter.

The Committee approved the following:

That the Treasurer be authorized and directed to renew the Hamilton Municipal Retirement Fund Custodial Services Agreement with the Bank of Montreal for a three year term, retroactive to 1996 November 1, in accordance with the fee proposal submitted by the Bank of Montreal.

6. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF PROPERTY

(a) Supply & installation of motion sensors at various Recreation Facilities

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 May 6, respecting the above noted matter, and approved the following:

(a) That approval be given to issue a purchase order in the amount of $102,559.50 inclusive of GST ($6,709.50) to E.S.I. Lighting Controls 1020 Maitland St. London Ontario for the supply, delivery and installation of motion sensors for the City of Hamilton at various recreation facilities, this being the lowest acceptable tender received in accordance with the specifications (C15-13-97) issued by the purchasing division; and,

(b) That the cost for this project be financed from Canada/Ontario Infrastructure Works Projects Energy Management Account # CF 809453014.

(b) Cogeco Cable Solutions - Cable and Equipment Pedestal Installation - Hamilton Place Property - MacNab Street

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Property dated 1997 May 8, respecting the above noted matter.

As a result of concerns expressed by Alderman Wilson on this matter, it was agreed that this recommendation should be tabled in order that the Chairman of the Finance and Administration Committee and the Chairman of the H.E.C.F.I. Board of Directors could review this issue.

Accordingly the following matter was tabled:

(a) That approval be given to Cogeco Cable Solutions (formerly Rogers Cablesystems) to construct, maintain and operate underground cable network, and one 2'-7" x 4' equipment pedestal on that portion of the City owned property upon which Hamilton Place is situate, more particularly being along the eastern wall of the building (MacNab Street) 30' north of Main Street West; and,

(b) That an agreement between The Corporation of the City of Hamilton and Cogeco Cable Solutions be entered into, in a form satisfactory to the City Solicitor, prior to the commencement of the cable and equipment pedestal, installation; and,

(c) That the installation on the City property be performed to the satisfaction of the Manager of Real Estate Division, Property Department; and,

(d) That the term of the agreement be at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco Cable Solutions; and,

(e) That Cogeco Cable Solutions be required to pay for the City's reasonable administrative costs incurred in the course of arranging this agreement, together with the City's reasonable legal expenses; and,

(f) That Cogeco Cable Solutions shall pay to the City as consideration for the privilege of occupying City owned property, the sum of $100 per annum; and,

(g) That the Mayor and City Clerk be authorized to execute this agreement on behalf of the City.

7. **H.E.C.F.I. BOARD OF DIRECTORS - Portable Vending Cart: Street Vendor Programme - Copps Coliseum**

The Committee was in receipt of a report from the Secretary of the H.E.C.F.I. Board of Directors dated 1997 April 29, respecting the above noted matter.

The Committee was also in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 May 16, respecting the above noted matter.

The Committee approved the following:

That responsibility for the vacant street vending site on the south/east corner of York and Bay Streets (at Copps Coliseum) be transferred to H.E.C.F.I. and be operated as a vendor location by the concessionaire at Copps Coliseum subject to the following conditions:

(a) That the vending cart is to be licensed and operated under the same basic operating rules as all other vendors under the City's Street Vendor program; and,

(b) That the concessionaire is to obtain proof of insurance to cover the operation of the cart on that location and name the City and H.E.C.F.I. as added insured; and,

(c) That H.E.C.F.I. is to continue to clean, remove litter in the entrance plaza area, remove trash from sidewalk waste containers in the same area and to clear snow from sidewalks around Copps coliseum; and,

(d) That this arrangement is to be reviewed at the end of 1998 when all City Street Vendor Agreements are to expire and the program's future is to be reviewed.

8. **CITY SOLICITOR - Art Gallery Municipal Capital Facility Agreement and By-law**

The Committee was in receipt of a report from the City Solicitor dated 1997 May 20th, respecting the above noted matter.

The Committee approved the following:

(a) That the Mayor and Clerk be authorized to execute a Municipal Capital Facility Agreement with the Art Gallery of Hamilton; and,

(b) That the By-law to exempt the Art Gallery of Hamilton, a Municipal Facility at 123 King Street West, for municipal and school taxes be enacted; and,

(c) That the City Clerk give Notice of passage of the By-law to the Minister of Education and Training, the Regional Assessment Commissioner and to the Clerk of the Regional Municipality of Hamilton-Wentworth and to the Secretaries of the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board; and,

(d) That upon the enactment of the By-law the City Treasurer strike from the tax roll the Art Gallery's taxes from 1997 May 28, until the tax roll is amended.

9. **CORRESPONDENCE - Chairman, The Board of Education for the City of Hamilton - Board of Education representative - Hamilton Public Library Board**

The Committee was in receipt of correspondence from the Chairman of the Board of Education for the City of Hamilton dated 1997 May 5, respecting the above noted matter.

Following discussion on this matter, the Committee agreed to receive the response from the Board of Education and maintain its policy for the submission of a list of nominee recommendations.

10. **REFERRAL FROM CITY COUNCIL - Correspondence from the Hamilton Harbour Commissioners respecting the Canada Marine Act, conveyance of Water lots 1 and 2, and surplus profits**

The Committee was in receipt of correspondence from the Hamilton Harbour Commissioners dated 1997 May 1, respecting the above noted matter.

As a result of discussion on this matter it was agreed that the City Solicitor should draft a response to the Hamilton Harbour Commissioners for review by the Chairman of the Finance and Administration Committee and the Chairman of the Planning and Development Committee prior to it being forwarded to the Hamilton Harbour Commissioners.

It was also agreed that the following motion, which was previously approved by the Finance and Administration Committee during its In Camera session of the 1997 March 4th meeting be forwarded to City Council for approval:

(a) That the City Solicitor forward a demand letter to the Hamilton Harbour Commissioners requesting an accounting of excess revenue over expenditures and the payment of profits deemed surplus in standard accounting practices, by the Hamilton Harbour Commission, to the City; and,

(b) That the City Solicitor, in the same letter to the Hamilton Harbour Commissioners, request the return of Water lots 1 and 2 to the City, as surplus to the Hamilton Harbour Commissioners' shipping and navigation activities as reflected in their Port Master Plan; and,

(c) That the City Solicitor be authorized to engage KPMG Chartered Accountants to proceed in their review of the accounting practices of the Hamilton Harbour Commission with respect to surplus profits and surplus assets.

11. OTHER BUSINESS

Alderman D. Drury - Thermal Imaging Camera - Fire Department

Alderman Drury submitted correspondence he had received as a result of his request for information pertaining to the background on how the Thermal Imaging Camera in the Fire Department is performing. It was agreed that this correspondence should be forwarded to members of the Committee for information.

IN CAMERA

The Committee agreed to move into an In Camera session to consider matters of a private and confidential nature.

REGULAR SESSION

The Committee moved back into Regular session.

12. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1997 May 20

Development Charge Reserve Fund
Statement of Continuity
Period January 01, 1996 to December 31, 1996

	Total $	Indoor Recreation $	Outdoor Recreation $	Library Buildings & Materials $	Traffic Signals $	Parkland Acquisition $	Vehicles & Equipment $	Studies $	Engineering (area specific) $	Storm Water Retention $	Fire Stations $
Balance as at Jan 01, 1996	4,932,015	1,733,720	1,057,868	791,446	73,079	22,459	5,868	118	336,651	0	910,806
Development charges received or receivable	736,257	172,084	215,584	83,588	5,691	136,437	35,649	714	86,510	0	0
Development charges refunded	(1,822)	(426)	(533)	(207)	(14)	(338)	(88)	(2)	(214)	0	0
Interest earned	247,058	77,819	58,675	43,730	(709)	7,926	2,071	41	21,142	(2,499)	38,862
	5,913,508	1,983,197	1,331,594	918,557	78,047	166,484	43,500	871	444,089	(2,499)	949,668
Transferred to: Capital Fund	(124,000)	0	0	0	(74,000)	0	0	0	0	(50,000)	0
Amounts allocated: Reduction of current debentures	(600,000)	(348,569)	(99,116)	0	(18,946)	0	0	0	0	0	(133,369)
Balance as at December 31, 1996	5,189,508	1,634,628	1,232,478	918,557	(14,899)	166,484	43,500	871	444,089	(52,499)	816,299

Appendix "A" referred to in Section 7 of the TWELFTH Report of the Finance and Administration Committee for 1997

Tuesday, 1997 May 27
7:00 o'clock p.m.
Room 233, City Hall

A Special Meeting of the Finance and Administration Committee was held.

A. (iii)

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss
Alderman V. Agro

Regrets: Alderman T. Anderson - Other business

Also Present: Alderman Morelli
Alderman Caplan
Alderman Copps
Alderman Merling
Alderman McCulloch
J. Pavelka, Chief Administrative Officer
J. Schatz, City Clerk
M. Watson, Real Estate Division, City Clerk's Department
T. Whitehead, Executive Assistant to the Mayor
T. Agnello, Acting Secretary

A G E N D A

1. **CITY CLERK - Offer to Purchase - Sale of City Properties (Tax Sale and Municipal Parking Lots) to The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario - 644 Barton Street East; 648/650 Barton Street East/128-132 Chestnut Avenue**

The Committee was in receipt of a report from the City Clerk dated 1997 May 23, respecting the above noted matter.

The Committee resolved to adjourn into closed session to discuss property matters and reconvened immediately thereafter with the following report which was forwarded to Council for approval:

(a) (i) That an Offer to Purchase Agreement, to be executed by the Purchaser The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario and scheduled to close on or before 1997 July 28, for the lands municipally described as part of Lot 2, Plan 257, having a frontage of 13.71 metres (45.00 feet) more less, along the southern limit of Barton Street East, and a depth of 31.69 metres (104.0 feet) more or less, known municipally as 644 Barton Street East, Hamilton, with all structures erected thereon, which land was vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and that the funds derived from this sale of $140,000 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(ii) That it be understood and agree that this Offer to Purchase be conditional on the Purchaser also completing the purchase of the properties located at municipal number 648/650 Barton Street East, the municipal parking lot at 128-132 Chestnut Avenue, on the date hereinafter fixed for closing; and,

(iii) That the required deposit cheque in the amount of $14,000 be held by the City Treasurer pending Council approval; and,

(iv) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(v) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 May 27; and,

(3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,

(b) (i) That an Offer to Purchase Agreement, to be executed by the Purchaser The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario and scheduled to close on or before 1997 July 28, for the lands municipally described as all of Lot 71, Registered Plan 76, having a frontage of 15.24 metres (50.00 feet) more less, along the southern limit of Barton Street East, and a depth of 31.70 metres (104.0 feet) more or less, known municipally as 648/650 Barton Street East, Hamilton, with all structures erected thereon, which land was vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and that the funds derived from this sale of $55,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(ii) That it be understood and agree that this Offer to Purchase be conditional on the Purchaser also completing the purchase of the properties located at municipal number 644 Barton Street East, the municipal parking lot at 128-132 Chestnut Avenue, on the date hereinafter fixed for closing; and,

(iii) That upon successful completion of this sale, a real estate commission of 6% $55,000 sale price be paid to Royal Lepage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,

(iv) That the required deposit cheque in the amount of $5,500 be held by the City Treasurer pending Council approval; and,

(v) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(vi) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 May 27; and,

(3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(c) (i) That an Offer to Purchase Agreement, to be executed by the Purchaser The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario and scheduled to close on or before 1997 July 28, for the lands municipally described as part of Lots 3 and 4 on Registered Plan 257, having a frontage of 19.348 metres (63.48 feet) more less, along the eastern limit of Chestnut Avenue, and a depth of 30.123 metres (98.83 feet) more or less, known municipally as 128-132 Chestnut Avenue, Hamilton, also known as part of Municipal Car Park #12C, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $30,000, be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,

(ii) That it be understood and agree that this Offer to Purchase be conditional on the Purchaser also completing the purchase of the properties located at municipal numbers 644 Barton Street East and 648/650 Barton Street East, on the date hereinafter fixed for closing; and,

(iii) That it be understood and agreed:

(1) The Purchaser acknowledges and agrees that the Purchaser may be required to enter into, at its expense, a Site Plan Agreement with and satisfactory to the City; and,

(2) The Owner hereby agrees that the Purchaser may on or before the closing of the herein transaction apply for site plan approval in respect to the subject property, provided the Site Plan Agreement is not registered on title to the property until after the closing of the herein transaction; and,

(3) The Owner agrees that the closing of the herein transaction shall be conditional on the Purchaser receiving site plan approval from the City satisfactory to the Purchaser; and,

(4) The Purchaser agrees that any decision by the Owner in its capacity as a municipality regarding the site plan application of the Purchaser, shall not be deemed to be bad faith on the part of the Owner in the herein transaction, and that it is also a condition on closing that the site plan approval be in terms satisfactory to the City; and,

(iv) That the required deposit cheque in the amount of $3,000 be held by the City Treasurer pending Council approval; and,

(v) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(vi) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 May 27; and,

(3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act;

THE COMMITTEE RESOLVED TO SUSPEND THE RULES OF ORDER TO ALLOW AN ADDED ITEM TO THE AGENDA.

2. **MAYOR ROBERT M. MORROW - The Triennial Convention of the Federated Women's Institutes of Canada (FWIC)**

The Committee was in receipt of a report from the Mayor dated 1997 May 23, respecting the above noted matter.

The Committee approved the following:

That approval be granted for the hosting of a welcome reception on Tuesday, 1997 June 17th by the City of Hamilton for an estimated cost of $6,000 to be charged to Account No. CH 54314 - 84010 Special Receptions/Dignitaries Hosting.

THE COMMITTEE RESOLVED TO SUSPEND THE RULES OF ORDER TO ALLOW AN ADDED ITEM TO THE AGENDA.

3. ALDERMAN C. COLLINS - Appointment to Site Plan Committee for the Hamilton Harbour Commission

Following brief discussion, the Committee resolved as follows:

That Alderman Chad Collins be appointed as the City representative on the Site Plan Committee for the Hamilton Harbour Commission.

4. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Tina Agnello
Acting Secretary
1997 May 27

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R. L. Fair
Director of Culture & Recreation

SUBJECT: Award of Contract-City Hall Roof Replacement Phase 2

RECOMMENDATION:

(a) That approval be given to issue a purchase order in the amount of $274,552.37 inclusive of G.S.T. ($17,961.37) & inclusive of a contingency ($25,000.) to commission Trio Roofing Systems Inc. of Toronto, for the replacement of the 2nd floor roof at City Hall, being the lowest price of eight quotations received in accordance with the specifications (Ref: C15-14-97) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That the expenditure be financed from Capital Fund Account - City Hall Roof Replacement Phase 2 - CF 319741035 ($300,000.).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

That the cost for this project be financed from Capital Fund Account CF 319741035 ($300,000.) City Hall Roof Replacement Phase 2, and is within budget.

BACKGROUND:

The Building Operations and Maintenance Division identified that the roof over the 2nd floor of City Hall has surpassed its life expectancy and requires replacement. CGA Roof Consultants were retained by the Building Operations & Maintenance Division of the Culture & Recreation Department to develop a plan of action for the replacement of the roof. A plan was developed, and specifications were created and tendered in accordance with the Purchasing Division May 5, 1997.

Tenders received for the roof replacement:

Trio Roofing	$274,552.37
Crawford Roofing	$294,250.00
Dufferin Roofing	$315,329.00
Bertozzi Roofing	$335,340.44
Solar Roofing & Sheet Metal	$353,100.00
Atlantic Roofers	$363,800.00
Roque Roofing & Sheet Metal	$743,650.00
Riddell Roofing & Sheet Metal	$787,841.00

cc: P. Noé Johnson, City Solicitor
A. Ross, City Treasurer, Treasury Department
J. Krochak, Senior Buyer, Purchasing
R. Swan, Manager, Building Operations & Maintenance
R. Desnoyers, Assistant Manager, Building Operations & Maintenance

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 5

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R. L. Fair
Director of Culture & Recreation

SUBJECT: Award of Contract-Library - Replace Fire Panel/P.A. System

RECOMMENDATION:

(a) That approval be given to issue a purchase order in the amount of $160,126.45 inclusive of G.S.T. ($10,475.56) to commission Cahill Electric Limited of Ancaster for the replacement of the fire alarm system at the Central Library being the lowest price of four quotations received in accordance with the specifications (Ref: C15-1597) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That the expenditure be financed from Capital Fund Account - Library - Replace Fire Panel/P.A. System - CF319651024 ($169,000).

R. L. F.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

That the cost for this project be financed from Capital Fund Account CF 319651024 ($169,000.) Library - Replace Fire Panel/P.A. System and is within budget.

BACKGROUND:

The Building Operations and Maintenance Division identified that the Fire Alarm/P.A. System is obsolete and has surpassed its life expectancy and requires replacement. Parker Consultants were retained by the Building Operations & Maintenance Division of the Culture & Recreation Department to develop a plan of action for the replacement of the fire alarm/p.a. system. A plan was developed, and specifications were created and tendered in accordance with the Purchasing Division.

Tenders received for the fire alarm replacement:

Cahill Electric	$160,475.89
Lyle Electric	$175,694.00
Commerce Electric	$247,368.00
M.P. United	$248,605.62

RLF:rmh

cc: P. Noé Johnson, City Solicitor
A. Ross, City Treasurer, Treasury Department
J. Krochak, Senior Buyer, Purchasing
R. Swan, Manager, Building Operations & Maintenance
R. Desnoyers, Assistant Manager, Building Operations & Maintenance
W. Guise, Business Administrator, Hamilton Public Library

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R. L. Fair
Director
Culture and Recreation Department

SUBJECT: **Closure of Property Department Capital Projects**

RECOMMENDATION:

That the City Treasurer be directed to close the following capital project accounts with any excess funding to be transferred to its original source of financing.

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319341005	Major Maintenance to Civic Buildings	$350,000.00	$349,914.06	$85.94	DEB
b) 319441011	Main & Norfolk Fire Station - Mechanical/Electrical Retrofit	100,000.00	99,917.57	82.43	RCP
c) 319441014	Mountain Composite Building-Roof Replacement	65,000.00	0.00	65,000.00	DEB
d) 319541002	C.U.P. - Capital Replacements	70,000.00	69,930.35	69.65	Capital Levy
e) 319541003	Energy Management Projects	200,000.00	199,822.01	177.99	Capital Levy
f) 319541005	Mountain Arena - Roof Replacement	410,000.00	207,672.95	202,327.05	RCP
g) 319541009	Lawfield Arena - Roof Replacement	155,000.00	146,833.34	8,166.66	RCP
h) 319541010	Replace Carpeting - Regional Offices in City Hall	142,000.00	117,565.57	24,434.43	Capital Levy
i) 319641022	Energy Management Projects	111,000.00	110,910.22	89.78	Capital Levy
j) 319641028	Dundurn Castle - Hot Water Boiler System Renovations	126,000.00	125,970.98	29.02	RCP

k) 319651025	Copps Coliseum - Overhaul of Refrigeration & Air Conditioning Equipment	228,000.00	228,000.00	0.00	Capital Levy
		TOTAL		$300,462.95	

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The work relating to these projects has been completed and, therefore, the affected accounts can be closed. All cost savings, except as noted below, are attributable to competitive pricing obtained through the tendering process.

Additional information is presented here for the following projects:

Mountain Composite Building - Roof Replacement

This building was sold during 1996 and, therefore, the City will no longer be undertaking this capital work.

Mountain Arena - Roof Replacement

The original project cost estimate was based on the assumption that the existing roof deck would have to be replaced. That is, the estimate reflected a worst case scenario. Subsequent testing of the deck revealed that most of the decking was not in need of replacement, resulting in significant cost savings.

JC/dcr

c.c. Allan C. Ross, Treasurer, Treasury Department
Attention: N. R. Adhya
R. Swan, Manager, Building Operations & Maintenance Division
R. Desnoyers, Assistant Manager, Building Operations & Maintenance Division
J. Cerio, Manager of Administration, Culture and Recreation Department

C. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: By-law to Amend Schedule 4 of Licensing By-law 93-069 Respecting Taxi-Cab Brokers and Human Rights Policy

RECOMMENDATION:

That the attached By-law to Amend Schedule 4 of Licensing By-law 93-069 Respecting Taxi-Cab Brokers and Human Rights Policy be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

n/a

BACKGROUND:

On April 29, 1997, City Council adopted Item 14 of the 8th Report of the Finance and Administration Committee, directing the City Solicitor to prepare the attached By-law. The by-law requires taxi-cab brokers to postpone the one page publication of the Ontario Human Rights Commission, entitled "Declaration of Management Policy" for the brokerage's taxi owners and drivers.

RAS:mm

c.c. J.J. Schatz, City Clerk

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend Schedule 4 of Licensing By-law No. 93-069

Respecting:

TAXI-CAB BROKERS

WHEREAS it is expedient to require taxi-cab brokers to post the Ontario Human Rights Commission's one page publication entitled "Declaration of Management Policy" for taxi-cab owners and drivers;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 4 of Licensing By-law No. 93-069 as amended, is further amended by adding the following paragraph, as paragraph 11 of subsection 32(1):

> "11. Post and maintain a copy of the Ontario Human Rights Commission's publication entitled "Declaration of Management Policy", on bulletin boards and on other similar locations provided for the regular posting of written notices to taxi-cab drivers or owners operating from the brokerage."

2. In all other respects, Licensing By-law No. 93-069, as amended, is hereby confirmed without change.

PASSED this day of A.D. 1997.

City Clerk Mayor

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Improvements to the Fire Department Radio System

RECOMMENDATION:

That the attached By-law to amend By-law No. 95-105 concerning the Fire Department Radio System be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

City Council, on April 8, 1997, in adopting Section 7 of the 7th Report of the Finance and Administration Committee authorized the City Solicitor to make application to the Ontario Municipal Board to reallocate the excess debenture proceeds of $2,000,00 from the Public Safety Trunking Radio Account to 1995 Roads and Sidewalk Reconstruction Program - Local Roads - Phase 1 Account, and to cancel the remaining $500,000 debenture amount.

PNJ/LEF:as

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 91-105

Respecting:

IMPROVEMENTS TO THE FIRE DEPARTMENT RADIO SYSTEM

WHEREAS By-law No. 91-105 was enacted on May 14, 1991, to authorize the Radio Trunking Project and the issuance of Debentures in the amount of $2,500,000;

AND WHEREAS the Ontario Municipal Board approved the Radio Trunking Project by order of the Board, dated March 28, 1991,

AND WHEREAS Council, on April 8, 1997, in adopting Section 7 of the 7th Report of the Finance and Administration Committee authorized the transfer of a portion of the debenture proceeds and cancellation of a portion of the debentures for this project.

AND WHEREAS the approval of the Ontario Municipal Board to this By-law is no longer required as a result of amendments to Section 168(4) of the Municipal Act;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The City Treasurer is hereby authorized to reallocate $2,000,000 of the original debenture amount to the 1995 Roads and Sidewalk Reconstruction Project, Local Roads, Phase 1.

2. The City Treasurer is hereby authorized to cancel the remaining $500,000 debenture amount.

PASSED this day of , 1997.

CITY CLERK MAYOR

CITY OF HAMILTON

- RECOMMENDATION -

D. (i)

DATE: 1997 May 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of Two (2) Tractor/Loaders, Units 9511 and 9530, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Sheridan Equipment, Grimsby, in the amount of $98,242.20, including all applicable taxes and trade-in, for the replacement of two (2) Tractor/Loaders units #9511 and 9530 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1997 Fleet Services vehicle replacement programme, as approved by City Council on March 18, 1997. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

Continued.....

BACKGROUND: Tender Analysis

Sheridan Equipment, Grimsby	$ 98,242.20
Regional Ford, Freelton	106,214.00

This tender, for various types of equipment, was advertised and seventeen suppliers were notified. Two responded to this section.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the Fleet complement.

DM/DL

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

D. (ii)

JUN 0 1997

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 5

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of Five (5) Mid-Size, Four Door Sedans
Units 1491, 1492, 1493, 1494 and 1496, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Holland Chevrolet, Oldsmobile Ltd., Burlington, in the amount of $109,244.25, including all applicable taxes, for the replacement of five (5) mid-size, four door sedans units #1491, 1492, 1493, 1494 and 1496 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1997 Fleet Services vehicle replacement programme, as approved by City Council on March 18, 1997. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

Holland Chevrolet, Oldsmobile, Burlington	$ 109,244.25
City Chevrolet, Geo, Oldsmobile, Hamilton	117,150.50
Hamilton Motor Products, Hamilton	130,053.50
Robert Slessor Pontiac, Buick, Grimsby	130,657.25

This tender was advertised and sixteen suppliers were notified. Five responded and eleven did not reply.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme. Units being replaced will be disposed of at a future auction. This purchase will not increase the Fleet complement.

DM/DL

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 9

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: 18 Main Street East, south/west corner of
Main and Hughson Street South - DeSantis Group Inc. Property

RECOMMENDATION:

(a) That in accordance with the Development Agreement amended as of 1994 February 3, that the City release DeSantis Group Inc. from the registered agreements, development covenants and Site Plans registered on title of its parking lot at the south/west corner corner of Main Street East and Hughson Street South; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the said releases in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

During 1988 DeSantis Group Inc. (Tony DeSantis) purchased the City owned property located at the south/west corner of Main Street East and Hughson Street South (former Wentworth Arms Hotel) for $1.675 million. A condition of the sale was that DeSantis was to develop the site with a multi use structure in accordance with an approved site plan. The development proposed was to include 64 condominium apartments and a 275 space car parking garage of which 100 spaces would be assigned to short term use. Development was initially to have commenced on or before 1991 August 2.

Over the ensuing years, the development covenants have been amended five (5) times by the City and DeSantis. The property has remained undeveloped as the economic conditions of the real estate market took a sharp decline since purchase and made the project unviable.

The last Amending Agreement approved by Council on 1992 May 26 can be summarized as follows:

(a) DeSantis covenanted to start construction by 1994 November 30 and DeSantis had until 1996 November 30 to complete construction of a specified minimum building;

(b) if construction did not proceed as covenanted by DeSantis, Desantis would be released by the City from his development covenants, unless within ninety (90) days of 1996 November 30, the City repurchased the parking lot for $1.7 million from DeSantis.

While this matter should have been reported to Committee and Council prior to 1996 November 30, it was inadvertently overlooked and the opportunity legally to enforce a repurchase has expired. In any event, our Department would not have recommended the repurchase for three (3) very important reasons:

(a) the City has no municipal purpose for the property in mind;

(b) the City has no funding in place to purchase the site;

(c) most importantly, the value of the site has decreased substantially since the sale in 1990 and since the repurchase price is at the original purchase price, it makes no economic sense to exercise this right.

In our opinion, the value of the subject property has decreased by 55% to 65% of the original purchase price.

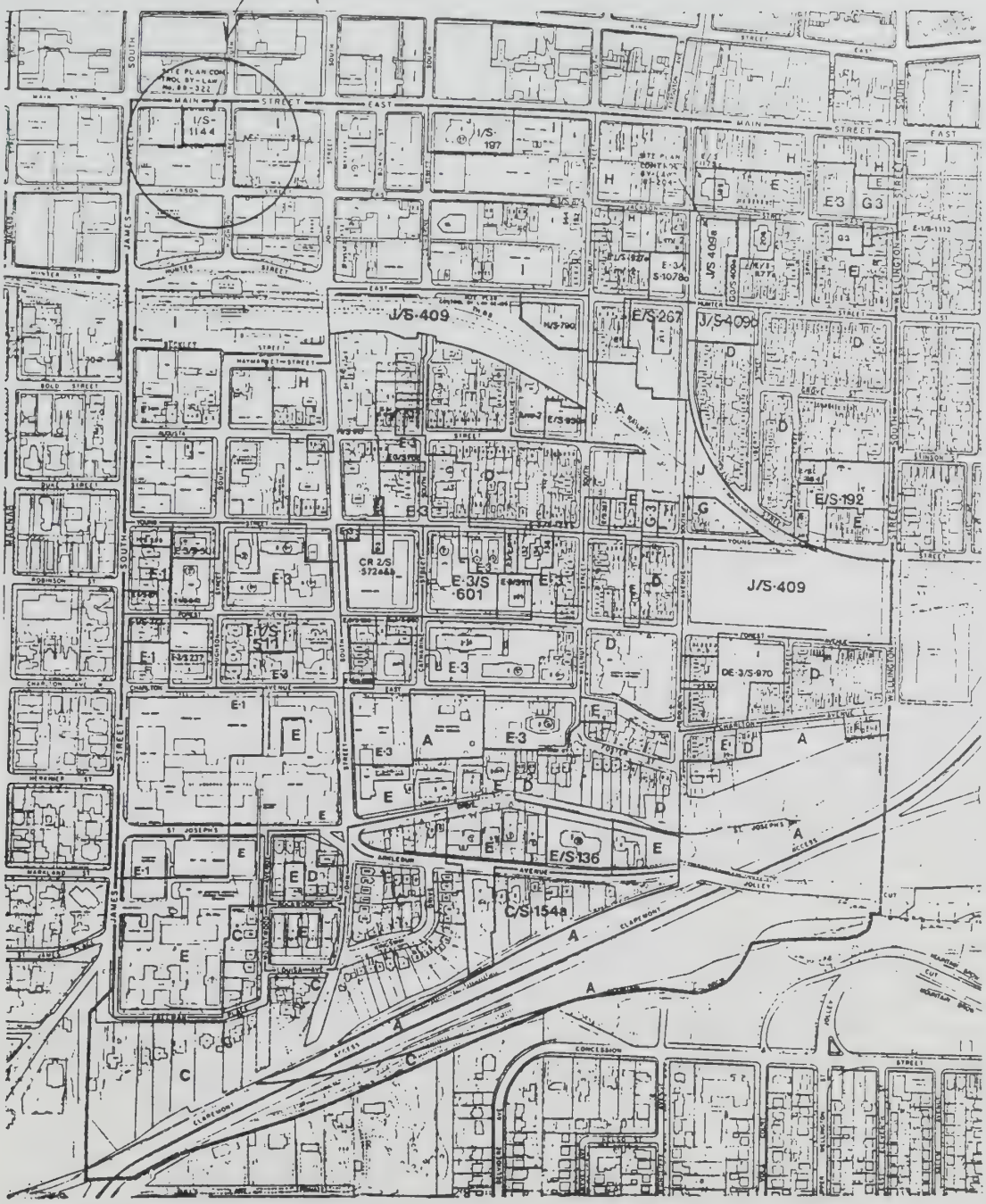
Accordingly, it is recommended that DeSantis Group Inc. be released from the registered agreements, development covenants and Site Plans on title to this property.

For the record, the owner, DeSantis, is still keenly interested in developing this property as the real estate market improves. When development does proceed in the future, on this private property, the City's Site Plan approval process remains in effect.

DWV/nw

c.c. P. Noé Johnson, City Solicitor
Attention: D. Powers
M.C.J. Watson, Manager, Real Estate Division, City Clerk's Department
P. G. Baker, General Manager, Hamilton Parking Authority
V.J. Abraham, M.C.I.P., Director, Local Planning Division

Subject property



All Lands Within This Neighbourhood Is Subject To Site Plan Control By-law No. 90-285.

21 10 95 41 31 125 123 22 68 This is not a Legal Document. For Zoning Verification Please Contact City Building Department.	CITY OF HAMILTON CORKTOWN ZONING
Neighbourhood Boundary Zoning Boundary.	SCALE 0 50m 100m NORTH
Prepared for The City of Hamilton by the Planning and Development Department	PLANNING UNIT NO. 6702 PAGE NO. 31

F.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 May 16 JUN 6 '97

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Reallocate Excess Debenture Proceeds and Other Financing Arrangements

RECOMMENDATION:

(a) That the City Treasurer be authorized to transfer the excess debenture proceeds of $52,048.85 from Concession Library Expansion project, Account Centre No. CF 919241005 (O.M.B. No. E920410 dated 06 July 1992 and City By-Law No. 92-219) to 1996 Roads and Sidewalk Reconstruction Program, Account Centre No. CF 529642001 (City By-Law No. 96-050), and

(b) That the City Solicitor be authorized to revise the City By-Law No. 97-033 to cancel the debenture authorization remaining for the Co-Generation project in the amount of $1,264,000, Account Centre No. CF 809453006 and the balance of expenditure remaining in the account in the amount of $386,815.27 be financed by a transfer of funds from the Reserve for Debt Charges, Account Centre No. CH 00108.

(c) That the City Treasurer be authorized to transfer $46,900 from the Reserve for Debt Charges, Account Centre No. CH 00108 to complete the financing of Parks Development Project, Account Centre No. CF 629154004.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

Concession Street Library

The Concession Street Library Project was completed under budget and authorized to close the account under Section 4 of the TENTH Report of the Finance & Administration Committee adopted by Council 1997 May 13. Section 168(2) of the Municipal Act previously required a municipality to obtain Ontario Municipal Board approval for the transfer of debenture proceeds. This requirement has now been removed by the Better Local Government Act.

Co-Generation Project

On 1996 January 9 Council authorized that all existing costs to the Co-Generation project (Account Centre No. CF809453006) be finalized and the account be closed along with the refund of the Federal/Provincial share of the Canada/Ontario Infrastructure Works Program. Subsequently six applications were made to the Ministry of Municipal Affairs and Housing to replace this project. Recently we have received approval for all of those projects. On 1997 February 12 the City Amending Agreement was forwarded to the Ministry of Municipal Affairs and Housing has now been executed. Under these circumstances the City can now cancel the balance of debenture authorization.

Parks Development Project

Section 6 of the 14th Report of the Parks & Recreation Committee adopted by Council 1991 July 30, authorized the transfer of debenture proceeds in the amount of $47,405.28 to the Parks Development Project, CF 629154004. As the excess debenture proceeds was transferred to another project (High Pressure Sodium Lighting CF609243008) and no further debenture was issued, it is recommended that the reserve fund be transferred in the amount of $46,900 replacing debenture transfer to this project to complete the financing.

NRA:jc

c.c. P. Noé Johnson, City Solicitor, Attention: L. Farr

G.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 June 9th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - City Clerk - Legislative Quarterly Report as at 1996 December 31st - report dated 1997 May 20th

(b) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1996 December 31st - report dated 1997 May 20th

(c) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1997 March 31st - report dated 1997 May 20th

(d) Information Report - City Clerk - Legislative Quarterly Report as at 1997 March 31st - report dated 1997 May 20th

(e) Information Report - Treasurer - Treasury Department Quarterly Report as at 1997 March 31st - report dated 1997 May 16th

(f) Information Report - Treasurer - Treasury Department Quarterly Report as at 1996 December 31st - report dated 1997 May 15th

(g) Information Report - Acting Fire Chief - Fire Department Quarterly Report as at 1997 March 31st - report dated 1997 May 15th

(h) Information Report - Acting Fire Chief - Fire Department Quarterly Report as at 1996 December 31st - report dated 1997 May 15th

(i) Information Report - City Solicitor - Law Department Quarterly Report as at 1996 December 31st - report dated 1997 May 20th

(j) Information Report - City Solicitor - Law Department Quarterly Report as at 1997 March 31st - report dated 1997 May 20th

(k) Memorandum - Referral of correspondence from the F.C.M. Big City Mayors' Caucus re: FCM 20% Club's Activities; Countdown 2000; Experience Canada youth career opportunities - memo dated 1997 May 15th

(l) Information Report - Hamilton Public Library Board - Hamilton Public Library Quarterly Report as at 1997 March 31 - report dated 1997 May 16th

(m) Information Report - Hamilton Public Library Board - Hamilton Public Library Quarterly Report as at 1996 December 31 - report dated 1997 May 15th

(n) Information Report - CAO and Commissioner of Human Resources - Human Resources Centre Quarterly Report as at 1997 March 31 - report dated 1997 May 16th

(o) Information Report - CAO and Commissioner of Human Resources - Human Resources Centre Quarterly Report as at 1996 December 31 - report dated 1997 May 16th

(p) Information Report - Chief Administrative Officer - CAO Department Quarterly Report as at 1996 December 31 - report dated 1997 May 22nd

(q) Information Report - Chief Administrative Officer - CAO Department Quarterly Report as at 1997 March 31 - report dated 1997 May 22nd

(r) Information Report - Treasurer - Sale of Tax Arrears Properties - report dated 1997 May 23rd

(s) Information Report - Chief Administrative Officer - Property Department Quarterly Report as at 1997 March 31 - report dated 1997 May 23rd

(t) Information Report - Chief Administrative Officer - Property Department Quarterly Report as at 1996 December 31 - report dated 1997 May 20th

(u) Information Report - H.E.C.F.I. - Quarterly Report as at 1996 December 31 - report dated 1997 May 16th

(v) Information Report - H.E.C.F.I. - Quarterly Report as at 1997 March 31 - report dated 1997 May 16th

(w) Communique - FCM Big City Mayor's Caucus - Big City Mayors Take Active Role in Federal Election: Municipal Leaders across Canada Fight Back - communique dated 1997 May 9th

(x) Correspondence - A.M.O. Large Urban Section - General Meeting: 1997 June 13th - memo dated 1997 May 20th

(y) Correspondence - AMO - "Your support in continuing to defend municipal interests" - letter dated 1997 May 21st

(z) Information Report - City Solicitor - Tax Collection; USARCO Limited and Frank Levy Properties; Toronto-Dominion Bank and Coopers & Bybrand Limited - report dated 1997 June 5th

(aa) Information Report - City Clerk - Termination of Lease - Canadian Football Hall of Fame; City lease to Canadian Super Party Inc. (space formerly occupied by The Press Club)

(bb) Recommendation to the Committee of the Whole from the Commissioner of Public Works and Traffic dated 1997 June 6th respecting the Canada/Ontario Infrastructure Works Program

(cc) Recommendation to the Transport and Environment Committee from the Commissioner of Public Works and Traffic dated 1997 June 6th respecting Increased cost for a Local Improvement Project on Dulgaren Street from Upper Sherman Avenue to approximately 72m easterly; finished roadway and curbs

(dd) Recommendation to the Transport and Environment Committee from the Commissioner of Public Works and Traffic dated 1997 June 1st respecting the 1997 Servicing expenditures related to subdivisions

(ee) Information Report - Treasurer - Financial and other Non-Departmental Budgets Quarterly Report as at December 31, 1996 - report dated 1997 May 16th

(ff) Information Report - Treasurer - Financial and Other Non-Departmental Budgets Quarterly report as at March 31, 1997 - report dated 1997 May 16th

Susan K. Reader.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1997 July 3
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **CHIEF ADMINISTRATIVE OFFICER AND CITY CLERK**

   Pedestrian Access from Farmers' Market to Eatons

4. **CITY CLERK**

   Integrated Management and Tracking System - City Clerk's Department

5. **TREASURER**

   (a) Financial Shared Services Proposal to the Regional Municipality of Hamilton-Wentworth (copy to follow)

   (b) Sale of Tax Arrears Properties - 1997 June 17

6. **REFERRALS FROM OTHER COMMITTEES**

   (a) Financing the cost of re-instating two supervised crossing locations during summer months

   (b) Funding - Hamilton Beach Neighbourhood Plan

7. **CITY SOLICITOR**

   (a) Requested Report - City of Kingston By-law respecting streets pertaining to panhandling and loitering (copy to follow)

   (b) The Keeping of Animals By-law 84-191

8. **H.E.C.F.I.**

   Replacement of the Dasherboard System at Copps Coliseum (copy to follow)

9. **CORRESPONDENCE**

   Country Music Week Co-Ordinator - Request for Financial Funding

10. **OTHER BUSINESS**

11. **ADJOURNMENT**

CITY OF HAMILTON

- RECOMMENDATION -

3.

DATE: 1997 June 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, PEng.
Chief Administrative Officer

J. J. Schatz
City Clerk

SUBJECT: Pedestrian Access from Farmers' Market to Eatons

RECOMMENDATION:

That staff be authorized to enter into discussions with Eaton's and/or Yale Properties with respect to provision of pedestrian access from the Hamilton Farmers' Market/Lloyd D. Jackson Square to the Eaton's store.

J. G. Pavelka

A. J. Wallwork for
J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Preliminary estimates indicate the cost of a barrier free pedestrian walkway from the Farmers' Market to the Eaton's store would cost approximately $355,000. Other potential means of pedestrian access between the two points need to be explored.

BACKGROUND:

Mayor Morrow convened a meeting of the major players in Downtown Revitalization in April of this year including representatives of Eaton's. The Eaton representatives indicated that pedestrian access between the Farmers' Market with in excess of 2,000,000 visitors per year and the Eaton's store is very important to them, in addition to the issue of downtown parking.

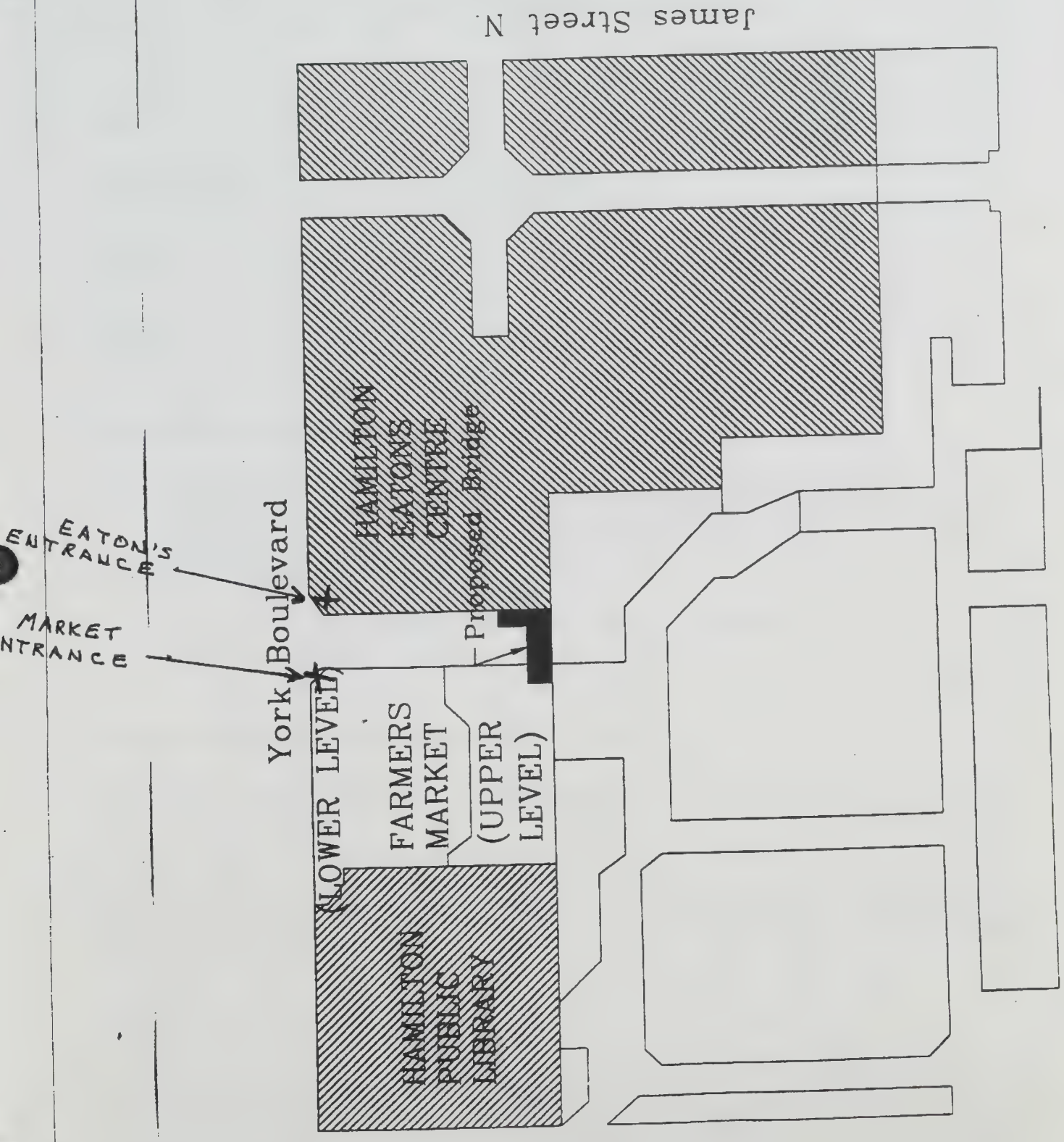
The only indoor direct link that appears to be possible between the Farmers' Market and the Eaton's store would be an overhead pedestrian walkway approximately 40 feet long above the existing truck entrance off York Boulevard as outlined on the attached plan.

If authorized to further explore this pedestrian access, staff will also investigate alternative access points including the potential for additional indoor access from Lloyd D. Jackson Square.

JGP/attach

.cc Mayor R. Morrow
.cc Hamilton Eaton Centre
Level 3, 77 James St. N.
Hamilton, ON L8R 2K3
Att: Mr. Robert Ferguson, General Manager

LOCATION PLAN



BUILDING DEPARTMENT
CITY OF HAMILTON

BRIDGE BETWEEN
EATONS- AND-FARMERS MARKET

DATE: May 6, 1997
JANOSIK, P.ENG

CITY OF HAMILTON

- RECOMMENDATION -

4.

DATE: 1997 June 24

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Integrated Management and Tracking System,
City Clerks Department

RECOMMENDATION:

(a) That approval be given to issue a purchase order to CSDC Systems, Mississauga, Ontario in the amount of $ 75,000 for the supply and installation of an Integrated Management and Tracking System, for the Licence Division, City Clerk's Department, notwithstanding the City's Purchasing Policy,

(b) That the Mayor and the City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

J. E. Pollock f.
J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost of purchasing this system is $75,000 and has been provided for in the 1997 Capital Budget. Implementation of this Integrated Management System for the business and lottery licence functions will eliminate the need to fill the vacant position of Licence Clerk in the Business Licence Section, provide for 1 additional F.T.E. in the Lottery Section and will eliminate required overtime during the business licence renewal process. Elimination of the vacant position and staff overtime will save the department $47,500 annually and the additional cost of 1 F.T.E. is $ 38,200.

BACKGROUND:

It has long been the goal for the City Clerk's Department to acquire a comprehensive integrated tracking and management system for its Business and Lottery Licenses. There is a great need to convert from current manual and outdated automated methods in licence application processing, issuing, information collection, storage and forms generation to a single integrated and modern automated system.

The Departments current tools and systems most of which have existed for some 20-30 years, are used to process, track and monitor business licence applications, lottery licence applications and by-law enforcement. There are individual desktop computers which can access licence data. Mobile and establishment business Licence records are maintained on a mainframe accessed from 4 terminals located in the Department. The Lottery Licence and By-law Enforcement Sections maintain their own records and inspection reports. Staff do not have the benefit of central access to all systems. Business and lottery Licence applications are all stored in file cabinets and on microfilm. Licence fees are calculated manually and are entered into an on-site cash register which requires daily balancing.

Due to the customer service nature of the Department, it is essential that licence information be available and readily accessible to respond to queries and to prepare regular as well as ad hoc reports. Management requires the tools to monitor and distribute workloads and help ensure a consistent business approach. In addition, the present fiscal climate requires that all departments continue to reduce waste and duplication of effort by streamlining processes while maintaining a consistent level of service.

Due to the rapidly evolving and changing business environment, it is important that the new system be open and flexible enough to allow for future changes in business processes and practices in order to allow this system to serve well into the 21st century. In 1996, the City Clerk's Department activity in the key licensing areas was: 2,160 Mobile Business Licenses processed and issued; 3,562 Establishment Business Licenses; 7,976 Lottery Licenses; 2,702 business Licence Inspections; 526 Licence Inspection Action Requests; 13,668 Lottery Licence Inspections and Financial Monitoring (bingo/nevada); 120 Licence Committee applications and show cause hearings.

In order for the City Clerk's Department to better serve its customers, it requires a new computer based, comprehensive, integrated tracking and management system for its business and lottery licence functions.

It should be noted that City Council has just awarded a contract to CSDC Systems, following an RFP process, for the Building Department to purchase a similar system for its building permit and trade licence functions and we are able to use the same server and related software for some of our needs. If we join with the Building Department now there are both financial and timing benefits for the City Clerk's Department to purchase the necessary add-on system components from the same supplier. This will provide for streamlined workflow of licence application processing, document control, internal procedures and greatly reduced paper flow; timely, accurate and informed responses to information requests; reduced processing time in new and renewal licence processes; future growth and integration in business licence processes and procedures in other departments, both within the City and Region; integration with existing and future applications and technologies such as word processors, spreadsheets and databases, (the latter two especially relate to lotteries).

With respect to the financial and staffing implications, the position of Licence Clerk in the Business Licence Section has been vacant for the past two years. It has been very difficult to manage without this position and some activities have had to be reduced to a less than desirable

level. The Lottery Section has required an additional full time employee for the past three years, but has been managing with the help of a temporary employee. In addition, during the business licence renewal period, 3 staff are required to work overtime due to the volume of licenses to be processed. It would not be necessary to fill the vacant position of Licence Clerk nor provide for an additional full time employee in the Lottery Section and future overtime during the business licence renewal process can be eliminated if we took advantage of the following capabilities of a comprehensive, integrated tracking and management system for all business and lottery licence functions: Staggered licence renewal periods, quicker turn around time and reduced paper flow by transmitting licence applications and departmental inspection reports electronically, flexible fee calculations including an audit trail and improved access by enforcement staff to all licence information.

The Building Department Project Steering Committee chose CSDC's Software Solution (the AMANDA package) because it best met the requirements outlined in their RFP. This same system (built for the Canadian municipal market) is installed in a number of municipalities including Vancover, Oakville, Vaughan, Markham and Windsor and a number of other Canadian Cities. Staff have either visited or have communicated with personnel in a number of these communities and together with support from our Information Systems Department will meet all administrative and operational needs of the Department.

JJS/SD

c.c. J.G. Hindson, P.Eng., Director of Information Systems
Allan C. Ross, Treasurer
L.C. King, P.Eng., Building Commissioner

5. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 23

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Sale of Tax Arrears Properties - June 17, 1997

RECOMMENDATION:

1) That, in accordance with the policy approved by City Council on October 29, 1996 for properties vested with the City on tax sale, the tax arrears applicable to the following property be written off as uncollectible:

625 Greenhill Avenue	$ 656,891.22
477 King Street East	215,286.84
30 Linden Street	58,287.97
000 Broughton Avenue (Vacant Land)	35,961.96
000 Broughton Avenue (Vacant Land)	8,455.63

2) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102

3) That the Region and the Board of Educations share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately 75% of the amount deemed as uncollectible will be recovered from the Region and the Boards of Education.

BACKGROUND:

Attached is a summary indicating the disposition of 6 tax arrears properties which were offered for sale by public tender on June 17, 1997. You will note that only 1 property was sold at the tax sale. There were no bids received on the remaining 5 properties and as a result these properties now vest with the City of Hamilton.

In accordance with the policy approved by City Council on October 29, 1996 for dealing with properties vested with the City as a result of receiving no bids through the tendering process, staff are recommending that the taxes on this property be written off. The City's share of the uncollected taxes and any other additional costs will be charged to the Reserve for Property Purchases. The balance of the uncollectible taxes will be charged back to the Tax Write Off Account in order to recover the deficiency amount previously credited to the Region and the Boards of Education.

Tax appeals have been initiated with the Provincial Assessment Department with respect to the vested property to establish the City's exempt status which will eliminate further taxation levies. Any adjustments resulting from the appeal process to reflect the actual tax liability for 1997 as of the date of vesting will be credited back to the City, Region and Boards of Education at a later date.

c.c. P. Noé Johnson, City Solicitor

City of Hamilton
Treasury

Disposition of Tax Arrears Properties Offered For Sale By Public Tender
Sale Date June 17, 1997

	Address	Type of Property	Comments
1)	625 Greenhill Ave.	Commercial	No bids-Vests with City
2)	477 King St. E.	Multiple	No bids-Vests with City
3)	30 Linden St.	Commercial	No bids-Vests with City
4)	000 Broughton Ave.	Vacant Land	No bids-Vests with City
5)	000 Broughton Ave.	Vacant land	No bids-Vests with City
6)	124 Ottawa St. N.	Tenanted Residential	Sold at Tax Sale

6(a.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 23 June 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the cost of re-instating 2 supervised crossing locations during summer months

RECOMMENDATION:

That the cost to re-instate 2 supervised crossing locations during summer months estimated at $5,210, be financed as an approved overdraft within the Public Works and Traffic Department, Traffic Division Centre # CH 75041.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

In discussions with Public Works and Traffic staff, it has been indicated that there are no surplus funds currently projected within the Public Works and Traffic Department budget to finance this program. There is no current budget provision for Contingency. The costs to reinstate these summer supervised crossing locations are estimated at $5,210. The recommended approved overdraft would acknowledge the potential of a year-end overdraft position, which could be offset by any surplus, initially departmentally or finally corporately.

BACKGROUND:

The Committee of the Whole meeting June 11, 1997 approved a recommendation that the Treasurer forward a report to the Finance and Administration Committee recommending the method of financing of two School Crossing Guards for Brittania and Fairfield Avenues and Wentworth Street North at Munroe Street for 1997.

At the Committee of the Whole meeting March 3, 1997, the Committee was considering the 1997 reduction packages as part of the deliberations on the 1997 Current Budget. There were 4 recommended reduction packages which related to the operations of the School Crossing Guard program. Three of the packages were re-instated and financed from the Reserve for Tax Stabilization. The fourth package as noted above relates to the summer program for two supervised crossing locations. At the time of the meeting this program was not re-instated.

At this point in time, staff have indicated that there is no anticipated surplus within the Traffic Division 1997 budget. An approved overdraft of accounts is the recommended funding source as noted within the discussion of Financial Implications above.

c.c. D. Lobo, Commissioner of Public Works and Traffic

6. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of Implementation of Hamilton Beach Neighbourhood Plan

RECOMMENDATION:

(a) That the gross cost of land acquisition for the implementation of the Hamilton Beach Neighbourhood Plan in the amount of $1,944,000 be included as a part of the approved 1997 Capital Budget Program and that the City's net cost in the amount of $1,069,000 (gross cost of $1,944,000 less $875,000 recoverable from the Hamilton Region Conservation Authority) be financed from the Reserve for Property Purchases, Account Centre No. CH00102.

(b) That the City Treasurer be authorized to reimburse the above Reserve from the proceeds of the sale of properties in relation to the Hamilton Beach Neighbourhood Plan.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1997-2006 approved Capital Budget Program has no provision for Capital Contingency. Any introduction or consideration of a new project requires a trade off with an existing project, or needs to be tabled until the following year's Capital Budget process to stay within the guidelines approved by Council on 1997 March 18. There are sufficient funds in the Reserve to finance the project at this time.

BACKGROUND:

The details of this project are outlined in the joint report of J.G. Pavelka, P.Eng., Chief Administrative Officer and D. Lobo, Commissioner, Department of Public Works and Traffic, dated 1997 June 13 and are included in Section 8 of the Sixth Report of Parks and Recreation Committee, adopted by Council 1997 June 24.

Within the body of the report is identified a gross cost of $1,944,000 and a net cost to the City in the amount of $1,069,000 for land acquisition. It also identifies a potential for subsequent sale of lands by the City in the amount of $2,544,000 over a number of years. These costs have been confirmed by the Chief Administrative Officer for use in this financing report. Based on the uncertainty and the identified multi-year timing for sales of the affected properties, permanent financing of the costs is recommended, with the subsequent land sale revenues to be credited to the original funding source.

Various reserves were considered as possible funding sources.

As the Reserve for 5% Parks Land Dedication and the Reserve for Capital Project do not have sufficient funding available at this time, it is recommended that the expenditure be charged to the Reserve for Property Purchases account, and that subsequent revenues also be credited to that Reserve.

c.c. J.G. Pavelka, Chief Administrative Officer
J. Schatz, City Clerk, Attention: R. Buckle
D. Lobo, Commissioner, Department of Public Works and Traffic
Attention: R. Chrystian
P. Noé Johnson, City Solicitor
L. King, Commissioner, Building Department
V. Abraham, Director, Planning Department
K. Christenson, Secretary, Parks & Recreation Committee

7. (a.)

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: P. Noé Johnson
City Solicitor
Law Department

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Requested Report - City Solicitor - City of Kingston By-law respecting streets pertaining to panhandling and loitering

DATE: 1997 June 25

This will confirm that City Council at its meeting held Tuesday, 1997 June 25th approved an added Section 27 to the Fourteenth Report for 1997 of the Finance and Administration Committee as follows:

27. That the City Solicitor be requested to review the section of the City of Kingston By-law respecting Streets pertaining to panhandling and loitering and report back to the next meeting of the Finance and Administration Committee.

Trusting that confirmation of this requested report is of assistance to you.

JJS/SKR

cc Susan K. Reeder, Secretary, Finance and Administration Committee

7. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: The Keeping of Animals By-law 84-191

RECOMMENDATION:

That the appropriate by-law to Amend By-law 84-191 on the keeping of animals concerning permits for exotic animals be enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
n/a

BACKGROUND:

On April 9, 1996 Council authorized the City Solicitor to prepare amendments to By-law No. 84-191 in order to allow the City to consider request for granting specific exemption on keeping of exotic animals. The Committee tabled the draft by-law pending a report on the City of Kitchener's Dog Control By-law.

On May 6, 1997 the Committee received a report on the City of Kitchener By-law. After a discussion, the Committee appointed Alderman Collins and Drury to meet with the Hamilton Society for the prevention of cruelty to animals to discuss the Committee's concerns about dog biting incidents. The Humane Society has, as a result of that meeting, suggested changes to the Dog Control and Licencing By-law Number 85-149. These by-law changes will be forwarded to a future Committee meeting. The Committee on May 6, 1997 also suggested a change to the draft by-law to not allow a person to have more than two class animals. This change has been made to the by-law.

Discussion

The draft by-law would require an applicant to apply to the Humane Society for a permit if the applicant wanted to keep an otherwise not permitted exotic animal. The Humane Society will inspect the proposed area where the animal will be kept.

As well as drafting changes to the Dog Control and Licencing By-law, the Law Department in consultation with the Humane Society will supply to the Chief Judge of the Provincial Court for approval of higher set fines for offences under the Dog Control and Licencing By-law No. 85-148.

LEAF:mm

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Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

To Amend:

By-law No. 84-191

Respecting:

THE KEEPING OF ANIMALS

WHEREAS By-law No. 84-191 was enacted on August 28, 1984;

AND WHEREAS paragraph 1 of Section 210 of the Municipal Act, authorizes Council to pass a By-law to regulate the Keeping of Animals within the municipality.

AND WHEREAS the Municipal Act authorizes the Council to establish a fee for services;

AND WHEREAS Council, on April 9, 1996, in adopting Section 1 of the 7th Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 84-191 is amended by the addition of the following section.

4.A (1) In this section, "Society" shall mean "The Hamilton Society for the Prevention of Cruelty to Animals".

(2) Despite any Section of this By-law, any person may apply to the Society for a Permit to keep an animal that would otherwise be prohibited by this By-law.

(3) The Permit applicant shall,

(i) complete the Permit application;

(ii) pay the Permit application fee;

(iii) allow the Society to inspect the area where the animal is proposed to be kept.

(4) (i). Upon receiving a completed application form, the Society shall inspect the area where the animal is proposed to be kept;

(ii) The Society shall report to the Clerk's Department on whether the Society could recommend that the applicant be issued a Permit to keep the animal;

(iii) The Society's recommendation shall be based on the type of animal described in the Application, the adequacy of the cage or area where the animal would be kept, and the applicant's knowledge on the proper care of the animal and what types of vaccinations are required for the type of animal.

(5) (i) The applicant shall allow the Society to inspect the area where the animal would be kept;

(ii) The applicant shall allow the Society to do an annual inspection of the area where the animal is kept.

(6) The City Clerk shall forward the Society's report to the Finance and Administration Committee for a decision on whether to grant the Permit or to deny the Permit.

(7) If the Council approves the application, the applicant shall renew the Permit every year if the applicant still owns the animal.

(8) The Permit may be revoked if the Permit holder does not allow an annual inspection in the area where the animal is kept or does not follow the instructions of the Society on the required vaccinations for the animal.

(9) The Permit Application fee shall be $100.00 and the annual renewal fee shall be $50.00.

(10) All Permits issued are not transferable to a new location.

2. By-law No. 84-191 is further amended by the addition of the following Section:

4.B (1) Every person who keeps an animal within the City's boundaries shall provide the animal or cause it to be provided with food, water, exercise, attention and veterinary care as may be required from time to time to keep it in good health.

(2) If an animal is customarily kept out-of-doors, the person having the custody or control of the animal shall provide for its use at all times a structurally sound, weatherproof, insulated enclosure with off-the-ground flooring.

(3) Every person who has the custody or control of an unspayed female animal shall, during each period that the animal is in heat, keep it confined so that it will not attract other animals.

(4) No person shall keep any animal within the City's boundaries tethered on a chain, rope or similar restraining device of less than three (3) metres in length.

(5) (i) No person shall keep an animal within the City's boundaries in an unsanitary condition.

(i) For the purpose of this Article, an animal is kept in an unsanitary condition where the keeping of the animal results in an accumulation of faecal matter, an odour, insect infestation or rodent attractants which endanger the health of the animal.

PASSED this day of 1997.

CITY CLERK MAYOR

\BYLAW\ANIMALS.8

"Copy sent to A. Ross, Treasurer - 1997 June 23rd"

9.

June 16, 1997

The Honourable Robert M. Morrow
Mayor's Office
City Hall
71 Main Street West
Hamilton ON L8N 3T4

Dear Mayor Morrow:

Further to your conversation with Reg Titian regarding the support of the City of Hamilton for Country Music Week '97, please accept this letter as a formal request for financial funding in the amount of $20,000.00.

As discussed, Reg is available to your office should he be required to make a personal appearance before the city and/or it's officers.

In previous years, Country Music Week has received financial support in the amount of $20,000.00 to help facilitate the convention. This year, Country Music Week is celebrating its 20th Anniversary and plans are moving along very well. Expected attendance for the full convnetion is approximately 800 delegates; attendance for the 1997 CCMA Awards Show is expected at over 1200 people.

I certainly appreciate your attention to this matter and look forward to speaking with you. Please don't hesitate to contact me if you require further information.

Sincerely,

Karen McLean
Country Music Week Co-ordinator

cc: Joe Fardell, Co-Chair
Reg Titian, Co-Chair
Sheila Hamilton, Executive Director

20 Country Music Week ANNIVERSARY

CCMA
THE CANADIAN COUNTRY MUSIC ASSOCIATION
3800 Steeles Avenue West, Suite 127, Woodbridge, Ontario L4L 4G9
Phone: (905) 850-1144 Fax: (905) 850-1330 E-mail: ccma@sprynet.com

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1997 July 3
1:30 o'clock p.m.
Room 233, City Hall

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

Minutes of the regular meeting held on Tuesday, 1997 June 17th

B. **CITY CLERK**

A.M.O. Conference - 1997 August 24 to 27th - Toronto

C. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

Capital Project #63 Replacement of Computerized Fuel Control System

D. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items

Tuesday, 1997 June 17
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Robert M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss
Alderman V. Agro

Regrets:
Alderman T. Anderson - Vacation

Also Present:
Alderman F. Eisenberger
Alderman G. Copps
Alderman H. Merling
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
J. Schatz, City Clerk
M. Watson, Real Estate Division, City Clerk's Department
S. Hollowell, City Clerk's Office
C. Guthro, Fleet Services, Public Works and Traffic
B. Chrystian, Parks Division, Public Works and Traffic
P. Baker, Hamilton Parking Authority
Acting Fire Chief Desjarlais
S. Miller, Hamilton Farmers Market
G. Corsini, Hamilton Parking Authority
M. Hazell, Public Works and Traffic
J. Cardwell, Fire Department
B. Desnoyers, Culture and Recreation Department
Susan K. Reeder, Secretary

AGENDA

A. DELEGATION - Hamilton Farmers' Market 160th Birthday Committee

The Committee received a delegation from the Hamilton Farmers Market consisting of Nick Giannini, President, Hamilton Farmers' Market Stallholders Association; Lynda Pinalli, Stallholder & Co-Chair, Market Advertising Committee; Lina Holstein, Stallholder & Co-Chair, Market Advertising Committee; Brian Hinkley, Consultant to the Hamilton Farmers' Market Stallholders.

Brian Hinkley gave a VCR presentation to the Committee to stress the needs for parking close to the Market and improved signage for the Market to assist their business. Emphasis was also given on the value of the market to the downtown. It was also suggested that the Eaton's Parkade allow 2 hours free parking for those people shopping at the Market.

The Chairman advised the delegation that the Transport and Environment Committee at this week's meeting are recommending to City Council that meters be installed on York Street to allow for on-street parking beside the Market, as well as Regional Council also giving consideration to the parking issue.

As a result of this recent action, the Committee agreed to table section (b) of the recommendation as follows:

(b) That City Council express its support for the parking regulations for the south and north sides of York Boulevard between Bay Street and James Street to be amended to provide for one and/or two hour on-street parking at no charge on a one-year trial basis and that a system of compassionate enforcement be implemented for this area.

(a) Recommendation - Hamilton Farmers' Market Sub-Committee

The Committee was in receipt of a report from the Hamilton Farmers' Market Sub-Committee dated 1997 May 23, concerning the Hamilton Farmers' Market 160th Birthday - Hamilton Farmers' Market Promotion.

The Committee approved the following, as amended:

(a) That the 160th Birthday Programme for the Hamilton Farmers' Market as submitted by the Hamilton Farmers' Market Stallholders Association, and attached herewith as Appendix "A" be endorsed; and,

(b) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to erect a series of signs at various strategic entry points into the City of Hamilton to promote and provide directions to Downtown Hamilton and the Hamilton Farmers' Market; and,

(c) That City Council express its support for a mutual aid arrangement with the Hamilton Street Railway for free bus passes to Downtown Hamilton and the Hamilton Farmers' Market.

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR

(i) City of Hamilton, et al. -ats- Allen; Ontario Court (General Division) Action #97-CU-123529

That the City Solicitor be authorized to retain and instruct outside Counsel to provide a Defence, for the individual Defendants, Joseph Ricottone, Al Vandenakker, Michael Horvath and Len Martin, for City of Hamilton, et al. -ats- Allen, in Ontario Court (General Division) Action # 97-CU-123529 pursuant to the City's Indemnification By-law #91-089. (Source of Funding Account No. CH-55428-44001)

(iii) City of Hamilton -ats- Foster; Ontario Court (General Division) Action #4094/89

(a) That the City resolve Ontario Court (General Division) Action # 4094/87 by the payment to the Plaintiffs, Anne Foster, Robert Foster, Kyle Foster, Joshua Foster and Steve Foster of the sum of $3000, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 4094/87 and all Crossclaims and Counterclaims within the action be dismissed without costs.

BB. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC -City of Hamilton -ats- Kebic and Klotz; Ontario Court (General Division) Small Claims Court Action No. 10098/97

(a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 10098/97 by the payment to the Plaintiff, Paul Kebic, of the sum of $1,587.78, and by payment to the Co-Plaintiff, Steven Klotz, of the sum of $541.42, inclusive of all damages, interest and costs; and,

(b) That the Plaintiff and Co-Plaintiff both be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Small Claims Court Action No. 10098/97 be dismissed without costs.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its special meeting held on Tuesday, 1997 May 13th; the minutes of its regular meeting held on Tuesday, 1997 May 20th; and the minutes of its special meeting held on Tuesday, 1997 May 27th, and approved these minutes as circulated.

B. DIRECTOR OF CULTURE & RECREATION

(i) Award of Contract - Replacement of City Hall Roof Phase 2

The Committee was in receipt of a report from the Director of Culture & Recreation dated 1997 June 4, respecting the above noted matter, and approved the following:

(a) That approval be given to issue a purchase order in the amount of $274,552.37 inclusive of G.S.T. ($17,961.37) and inclusive of a contingency ($25,000) to commission Trio Roofing Systems Inc. of Toronto, for the replacement of the 2nd floor roof at City Hall, being the lowest price of eight quotations received in accordance with the specifications (Ref: C15-14-97) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That the expenditure be financed from Capital Fund Account - City Hall Roof Replacement Phase 2 - CF 319741035 ($300,000).

(ii) Award of Contract - Replacement of Fire Panel/P.A. System Library

The Committee was in receipt of a report from the Director of Culture & Recreation dated 1997 June 5, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given to issue a purchase order in the amount of $160,126.45 inclusive of G.S.T. ($10,475.56) to commission Cahill Electric Limited of Ancaster for the replacement of the fire alarm system at the Central Library being the lowest price of four quotations received in accordance with the specifications (Ref: C15-1597) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That the expenditure be financed from Capital Fund Account - Library - Replace Fire Panel/P.A. System - CF319651024 ($169,000).

(iii) Closure of Property Department Capital Projects

The Committee was in receipt of a report from the Director of Culture & Recreation dated 1997 June 2, respecting the above noted matter, and approved the following:

That the City Treasurer be directed to close the following capital project accounts with any excess funding to be transferred to its original source of financing.

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319341005	Major Maintenance to Civic Buildings	$350,000.00	$349,914.06	$85.94	DEB
b) 319441011	Main & Norfolk Fire Station - Mechanical/Electrical Retrofit	100,000.00	99,917.57	82.43	RCP
c) 319441014	Mountain Composite Building-Roof Replacement	65,000.00	0.00	65,000.00	DEB
d) 319541002	C.U.P. - Capital Replacements	70,000.00	69,930.35	69.65	Capital Levy
e) 319541003	Energy Management Projects	200,000.00	199,822.01	177.99	Capital Levy
f) 319541005	Mountain Arena - Roof Replacement	410,000.00	207,672.95	202,327.05	RCP
g) 319541009	Lawfield Arena - Roof Replacement	155,000.00	146,833.34	8,166.66	RCP
h) 319541010	Replace Carpeting - Regional Offices in City Hall	142,000.00	117,565.57	24,434.43	Capital Levy
i) 319641022	Energy Management Projects	111,000.00	110,910.22	89.78	Capital Levy
j) 319641028	Dundurn Castle - Hot Water Boiler System Renovations	126,000.00	125,970.98	29.02	RCP
k) 319651025	Copps Coliseum - Overhaul of Refrigeration & Air Conditioning Equipment	228,000.00	228,000.00	0.00	Capital Levy
		TOTAL		$300,462.95	

C. CITY SOLICITOR

(i) By-law to Amend Schedule 4 of Licensing By-law 93-069 respecting Taxi-cab Brokers and Human Rights Policy

The Committee was in receipt of a report from the City Solicitor dated 1997 June 11, respecting the above noted matter.

The Committee directed that the By-law to Amend Schedule 4 of Licensing By-Law No. 93-069 respecting Taxi Cab Brokers, attached to the report, be forwarded to City Council for enactment.

(ii) By-law - Improvements to the Fire Department Radio System

The Committee was in receipt of a report from the City Solicitor dated 1997 June 11, respecting the above noted matter.

The Committee directed that the By-law to Amend By-law No. 91-105 respecting Improvements to the Fire Department Radio System, attached to the report, be forwarded to City Council for enactment.

D. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) **Replacement of Two (2) Tractor/Loaders, Units 9511 and 9530, Fleet Services**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 May 27, respecting the above noted matter.

The Committee approved the following:

That a purchase order be issued to Sheridan Equipment, Grimsby, in the amount of $98,242.20, including all applicable taxes and trade-in, for the replacement of two (2) Tractor/Loaders Units #9511 and 9530 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's Tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

(ii) **Replacement of Five (5) Mid-Size, Four Door Sedans Units 1491, 1492, 1493, 1494 and 1496, Fleet Services**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 May 27, respecting the above noted matter.

The Committee approved the following:

That a purchase order be issued to Holland Chevrolet, Oldsmobile Ltd., Burlington, in the amount of $109,244.25, including all applicable taxes, for the replacement of five (5) mid-size, four door sedans Units #1491, 1492, 1493, 1494 and 1496 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's Tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X501 00101.

E. **CITY CLERK - 18 Main Street East, south/west corner of Main and Hughson Street South - DeSantis Group Inc. Property**

The Committee was in receipt of a report from the City Clerk dated 1997 June 9, respecting the above noted matter, and approved the following:

(a) That in accordance with the Development Agreement amended as of 1994 February 3, that the City release DeSantis Group Inc. from the registered agreements, development covenants and Site Plans registered on title of its parking lot at the south/west corner of Main Street East and Hughson Street South; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the said releases in a form satisfactory to the City Solicitor.

F. **TREASURER - Reallocate Excess Debenture proceeds and other financing arrangements**

The Committee was in receipt of a report from the Treasurer dated 1997 May 16, respecting the above noted matter.

The Committee approved the following:

(a) That the City Treasurer be authorized to transfer the excess debenture proceeds of $52,048.85 from Concession Library Expansion project, Account Centre No. CF 919241005 (O.M.B. No. E920410 dated 1992 July 6 and City By-Law No. 92-219) to 1996 Roads and Sidewalk Reconstruction Program, Account Centre No. CF 529642001 (City By-Law No. 96-050); and,

(b) That the City Solicitor be authorized to revise the City By-Law No. 97-033 to cancel the debenture authorization remaining for the Co-Generation project in the amount of $1,264,000, Account Centre No. CF 809453006 and the balance of expenditure remaining in the account in the amount of $386,815.27 be financed by a transfer of funds from the Reserve for Debt Charges, Account Centre No. CH 00108; and,

(c) That the City Treasurer be authorized to transfer $46,900 from the Reserve for Debt Charges, Account Centre No. CH 00108 to complete the financing of Parks Development Project, Account Centre No. CF 629154004.

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 June 9, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - City Clerk - Legislative Quarterly Report as at 1996 December 31st - report dated 1997 May 20th

(b) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1996 December 31st - report dated 1997 May 20th

(c) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1997 March 31st - report dated 1997 May 20th

(d) Information Report - City Clerk - Legislative Quarterly Report as at 1997 March 31st - report dated 1997 May 20th

(e) Information Report - Treasurer - Treasury Department Quarterly Report as at 1997 March 31st - report dated 1997 May 16th

(f) Information Report - Treasurer - Treasury Department Quarterly Report as at 1996 December 31st - report dated 1997 May 15th

(g) Information Report - Acting Fire Chief - Fire Department Quarterly Report as at 1997 March 31st - report dated 1997 May 15th

(h) Information Report - Acting Fire Chief - Fire Department Quarterly Report as at 1996 December 31st - report dated 1997 May 15th

(i) Information Report - City Solicitor - Law Department Quarterly Report as at 1996 December 31st - report dated 1997 May 20th

(j) Information Report - City Solicitor - Law Department Quarterly Report as at 1997 March 31st - report dated 1997 May 20th

(k) Memorandum - Referral of correspondence from the F.C.M. Big City Mayors' Caucus re: FCM 20% Club's Activities; Countdown 2000; Experience Canada youth career opportunities - memo dated 1997 May 15th

(l) Information Report - Hamilton Public Library Board - Hamilton Public Library Quarterly Report as at 1997 March 31 - report dated 1997 May 16th

(m) Information Report - Hamilton Public Library Board - Hamilton Public Library Quarterly Report as at 1996 December 31 - report dated 1997 May 15th

(n) Information Report - CAO and Commissioner of Human Resources - Human Resources Centre Quarterly Report as at 1997 March 31 - report dated 1997 May 16th

(o) Information Report - CAO and Commissioner of Human Resources - Human Resources Centre Quarterly Report as at 1996 December 31 - report dated 1997 May 16th

(p) Information Report - Chief Administrative Officer - CAO Department Quarterly Report as at 1996 December 31 - report dated 1997 May 22nd

(q) Information Report - Chief Administrative Officer - CAO Department Quarterly Report as at 1997 March 31 - report dated 1997 May 22nd

(r) Information Report - Treasurer - Sale of Tax Arrears Properties - report dated 1997 May 23rd

(s) Information Report - Chief Administrative Officer - Property Department Quarterly Report as at 1997 March 31 - report dated 1997 May 23rd

(t) Information Report - Chief Administrative Officer - Property Department Quarterly Report as at 1996 December 31 - report dated 1997 May 20th

(u) Information Report - H.E.C.F.I. - Quarterly Report as at 1996 December 31 - report dated 1997 May 16th

(v) Information Report - H.E.C.F.I. - Quarterly Report as at 1997 March 31 - report dated 1997 May 16th

(w) Communique - FCM Big City Mayor's Caucus - Big City Mayors Take Active Role in Federal Election: Municipal Leaders across Canada Fight Back - communique dated 1997 May 9th

(x) Correspondence - A.M.O. Large Urban Section - General Meeting: 1997 June 13th -memo dated 1997 May 20th

(y) Correspondence - AMO - "Your support in continuing to defend municipal interests" - letter dated 1997 May 21st

(z) Information Report - City Solicitor - Tax Collection; USARCO Limited and Frank Levy Properties; Toronto-Dominion Bank and Coopers & Lybrand Limited - report dated 1997 June 5th

(aa) Information Report - City Clerk - Termination of Lease - Canadian Football Hall of Fame; City lease to Canadian Super Party Inc. (space formerly occupied by The Press Club)

(bb) Recommendation to the Committee of the Whole from the Commissioner of Public Works and Traffic dated 1997 June 6th respecting the Canada/Ontario Infrastructure Works Program

(cc) Recommendation to the Transport and Environment Committee from the Commissioner of Public Works and Traffic dated 1997 June 6th respecting Increased cost for a Local Improvement Project on Dulgaren Street from Upper Sherman Avenue to approximately 72m easterly; finished roadway and curbs

(dd) Recommendation to the Transport and Environment Committee from the Commissioner of Public Works and Traffic dated 1997 June 1st respecting the 1997 Servicing expenditures related to subdivisions

(ee) Information Report - Treasurer - Financial and other Non-Departmental Budgets Quarterly Report as at December 31, 1996 - report dated 1997 May 16th

(ff) Information Report - Treasurer - Financial and Other Non-Departmental Budgets Quarterly report as at March 31, 1997 - report dated 1997 May 16th

REGULAR AGENDA

3. **CHIEF ADMINISTRATIVE OFFICER - New Fire Chief - Starting Date**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 June 12, respecting the above noted matter.

The Committee approved the following:

(a) That Mr. Wesley Shoemaker be appointed the Fire Chief for the Corporation of the City of Hamilton effective Monday, 1997 June 30; and,

(b) That Acting Fire Chief Gil Desjarlais return to the position of Deputy Chief of the Hamilton Fire Department, effective 1997 June 30, at his former rate of pay.

The Chairman gave special thanks to Acting Fire Chief Desjarlais for his work for the City in the interim of appointing a new Chief.

4. **TREASURER**

(a) **Information Report - Corporate Overview of the 1996 Year End Reports as at December 31, 1996**

The Committee was in receipt of an information report from the Treasurer dated 1997 May 16, respecting the above noted matter. The Committee agreed to receive this document for information purposes.

(b) **Information Report - Corporate Overview of the March 31, 1997 Quarterly Reports**

The Committee was in receipt of an information report from the Treasurer dated 1997 May 16, respecting the above noted matter. The Committee agreed to receive this document for information purposes.

(c) **Annual Reserve and Reserve Fund Report**

The Committee was in receipt of a report from the Treasurer dated 1997 May 26, respecting the above noted matter.

The Committee approved the following:

That the 1997 Annual Reserve and Reserve Funds Report, previously forwarded to all members of City Council, and available from the Committee Secretary upon request, be received.

(d) **Internal Financing Arrangements for Previously Authorized Capital Projects Replacing External Debenture Issuance**

The Committee was in receipt of a report from the Treasurer dated 1997 June 6, respecting the above noted matter, and approved the following:

(a) (i) That the City establish a policy of internal financing of capital projects to replace external debt financing through the transfer of funds from capital reserves; and,

(ii) That the policy be established at a range between the 5-10 year amortization at a rate of 25 basis points above the respective Canada Bond Rate; and,

(iii) That the internal financing be based on the availability of funds from the Capital Reserves to be reviewed annually by the City Treasurer and authorized annually by City Council; and,

(b) That the City Treasurer be authorized to finalize internal financing arrangements in the total amount of $9,000,000 through a transfer of funds from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101 to the various work-in-progress accounts as outlined in the Schedule attached herewith as Appendix "B", to be repayable over a period of five years based on a 5 year Canada Bond Rate as at 1996 December 31, plus 25 basis points (5.73%); and,

(c) That the City Treasurer be authorized to repay the annual principal and interest charges out of the Current Budget Provision for Capital Financing, Account Centre No. CH 21102 by crediting the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101; and,

(d) That the City Solicitor be authorized to revise the appropriate by-law for each capital project, noted in the Schedule attached as Appendix "B", to reflect a reduction in the corresponding debenture authority by the amount of reserve transfer noted in the Schedule attached herewith as Appendix "B", column (10); and,

(e) That the Schedule attached herewith as Appendix "C" form part of the internal financing arrangement schedule, noted above in the amount of $9,000,000; and,

(f) That the City Treasurer be authorized to finalize internal financing arrangements for the owners' share of local improvements through a transfer of funds from the Reserve for Debt Charges, Account Centre No. CH 00108 to be authorized over a period of 15 years for:

(i) Accounts previously closed in 1995 and rated in 1996 in the amount of $43,818.33 at the rate of 9.25% per the Schedule attached herewith as Appendix "D"; and,

(ii) Accounts previously closed in 1996 and rated in 1997 in the amount of $219,116.74 at the rate of 7.00% per the Schedule attached herewith as Appendix "E"; and,

(g) That the City Treasurer be authorized to recover the local improvement costs (repayment of annual instalments) through the tax roll and credit the proceeds to a budgeted revenue account and to provide for the annual instalments in the current budget through a transfer to the Reserve for Debt Charges.

(e) Appointment of External Auditor

The Committee was in receipt of a report from the Treasurer dated 1997 June 10, respecting the above noted matter.

The Committee approved the following:

(a) That the firm of MacGillivray Partners, Chartered Accountants, be continued as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, The Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc., and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1997 at a fee of $113,000 including completion of the audit of the City's Financial Report, but excluding G.S.T.; and,

(b) That a by-law respecting "To Appoint An External Auditor" be approved by City Council; and,

(c) That the City Treasurer be directed to issue a Request for Proposal for external Audit Services for a period of up to five years, commencing in 1998 for the City of Hamilton, Local Boards, the Hamilton Hydro Electric System, and affiliated organizations.

5. REFERRALS FROM OTHER COMMITTEES

(a) Report - Treasurer - Financing of Retaining Wall Reconstruction Proposal Jackson Street West, rear of Wesanford Place

The Committee was in receipt of a report from the Treasurer, dated 1997 June 16th, respecting the above noted matter.

The Committee approved the following:

That as referred to in Section 35 of the Seventh Report for 1997 of the Transport and Environment Committee,

(a) That the City Treasurer be authorized to incorporate the cost of Retaining Wall Reconstruction Proposal - Jackson Street West Rear of Wesanford Place in the amount of $150,000 as a part of the approved 1997 Capital Budget; and,

(b) That the cost of Retaining Wall Reconstruction Proposal - Jackson Street West Rear of Wesanford Place, in the amount of $150,000 be financed from the Reserve for Capital Project, Account Centre No. CH 00203; and,

(c) That staff be directed to review and consider the 1998 Capital Forecast during 1998 Capital Budget deliberations in order to stay within the guidelines approved by Council 1997 March 18.

(b) Report - Treasurer - Financing of Draft Plan Approval for the Development of "Albion Mills Estate".

The Committee was in receipt of a report from the Treasurer, dated 1997 June 16th, respecting the above noted matter.

That as referred to in Section 42 of the Seventh Report for 1997 of the Transport and Environment Committee,

(a) That an estimated cost for expenditures necessary to obtain draft plan approval for the development of "Albion Mills Estates" land in the amount not to exceed $23,800 be funded temporarily from the Reserve for Services Through Unsubdivided Lands, Account Centre No. CH 00107; and,

(b) That the City Treasurer be authorized to reimburse the above reserve from the proceeds of the sale of the "Albion Mills Estates" land.

6. CITY CLERK

(a) Offer to Purchase - Sale of City Property 253-257 Kenilworth Avenue North (Former Tavern) to 1140532 Ontario Inc. (Angelo Papastamos)

The Committee was in receipt of a report from the City Clerk dated 1997 June 3, respecting the above noted matter, and approved the following:

(a) That an Offer to Purchase Agreement, duly executed by 1140532 Ontario Inc. (Angelo Papastamos) on 1997 May 26 and scheduled to close on or before 1997 August 15, for the lands municipally described as 253-257 Kenilworth Avenue North, being Lots 45, 46 and 47, Block W, Registered Plan No. 395, Hamilton, having a frontage of 22.86 metres (75.0 feet) more or less, along the west side of Kenilworth Avenue North and a depth of 30.48 metres (100 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $60,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $6,000 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 6% on the $60,000 sale price be paid to Royal LePage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(e) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

Note: Alderman Wilson opposed

Alderman Wilson expressed some concerns at the dollar value loss being experienced with tax sale properties as a result of their being vacant and unheated from the time the City acquires ownership until the time they are able to be sold. It was acknowledged that these properties are often in a deteriorating condition prior to the City receiving ownership through the tax arrears process.

It was agreed that an Information Report should be prepared on what the costs would be to do the necessary repairs on these buildings to prevent further deterioration; with a view to being able to draw comparison estimates between the funds required to do this work relative to the increased sale price that might be realized.

(b) **(a)** **Offer to Purchase City Property**
8 Brantdale Avenue, Hamilton - Part of CarPark #20
Part 2, Plan 62R-14012, Purchaser: 852904 Ontario Inc.

(b) **Offer to Purchase City Property**
10 Brantdale Avenue, Hamilton - Part of CarPark #20
Part 1, Plan 62R-14012, Purchaser: Sam Bono Enterprises Ltd.

The Committee was in receipt of a report from the City Clerk dated 1997 June 12, respecting the above noted matter.

The Committee approved the following:

(a) (i) That an Offer to Purchase (Tender Form), duly executed by 852904 Ontario Inc. (Sam Bono, President) on 1997 June 2 and scheduled to close on or before 1997 July 16, for the lands municipally described as 8 Brantdale Avenue, being Part 2, Plan 62R-14012, having a frontage of 9.144 metres (30 feet) more or less, by a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $21,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,

(ii) That the required deposit cheque in the amount of $2,100 be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on the 15th day of April 1997; and,

(3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(b) (i) That an Offer to Purchase (Tender Form), duly executed by Sam Bono Enterprises Ltd. on 1997 June 2 and scheduled to close on or before 1997 July 16, for the lands municipally described as 10 Brantdale Avenue, being Part 1, Plan 62R-14012, having a frontage of 9.327 metres (30.6 feet) more or less, by a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of $23,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,

(ii) That the required deposit cheque in the amount of $2,300 be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on the 15th day of April 1997; and,

(3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(c) **Offer to Purchase - Sale to Air Liquide Canada Inc.**
125 Birmingham Street, Hamilton (.531 acres)

The Committee was in receipt of a report from the City Clerk dated 1997 June 12, respecting the above noted matter, and approved the following:

(a) That City owned vacant land, known as 125 Birmingham Street, Hamilton consisting of .531 acres, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,

(b) That an Offer to Purchase, duly executed by Air Liquide Canada Inc. (ALC) on 1997 May 1 and scheduled to close on or before 1997 June 27, for the land illustrated as Part 1 on Reference Plan 62R-5666, fronting on the western limit of Birmingham Street, comprising .531 acres and known as 125 Birmingham Street, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $42,480 be credited to Account No. 22302 00001 (Suspense Account); and,

(i) That this Offer be accepted subject to several conditions set out in the said Offer, including the following conditions and the conditions referenced in Appendix "F", herewith attached:

(1) Completion of this Agreement by ALC be conditional upon ALC and Stelco entering into and completing an agreement of purchase and sale pursuant to which Stelco conveys to the ALC the lands referred to municipally as 860 Burlington Street East, Hamilton, the parcels outlined in red on the sketch attached to the Agreement; and,

(2) Completion of the sale by the City be conditional upon:

(a) Stelco releasing the City in a form, and upon terms satisfactory to the City, from any obligation or agreement between Stelco and the City under which the City had previously agreed to sell the land to Stelco; and,

(b) The City and Stelco entering into a written amending agreement to modify the terms of the Industrial Drive Land Exchange Agreement to take into account the sale of the land from the City to ALC; and,

(ii) That the required deposit cheque in the amount of $4,248 be held by the City Treasurer pending Council approval; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(iv) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was received on 1997 June 17; and,

(3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

(d) **Offer to Purchase - Sale of City Property**
16 Magill Street - CarPark #65
Purchaser: 700-042 Ontario Inc. (D. Vranich)

The Committee was in receipt of a report from the City Clerk dated 1997 June 12, respecting the above noted matter.

Further to a memo from the City Clerk dated 1997 June 16th, which was forwarded to members of the Committee under separate cover, a strong interest in purchasing the land at 16 Magill Street has been receiving from the abutting property owner. In light of this, it was requested that this matter be withdrawn from the Agenda at this time in order for all interested parties be given an equal opportunity to submit their best offer.

The Committee agreed that this item should be withdrawn from the Agenda.

(e) **Cogeco Cable Solutions - Cable and Equipment Pedestal Installation Hamilton Place Property - MacNab Street (tabled at the 1997 May 20th meeting)**

The Committee was in receipt of a memorandum from the Secretary of the Finance and Administration Committee dated 1997 May 21, respecting the above noted matter.

Alderman Wilson indicated that he had reviewed this issue further and was satisfied.

The Committee approved the following:

(a) That approval be given to Cogeco Cable Solutions (formerly Rogers Cablesystems) to construct, maintain and operate underground cable network, and one 2'-7" x 4' equipment pedestal on that portion of the City owned property upon which Hamilton Place is situate, more particularly being along the eastern wall of the building (Macnab Street) 30' north of Main Street West; and,

(b) That an agreement between The Corporation of the City of Hamilton and Cogeco Cable Solutions be entered into, in a form satisfactory to the City Solicitor, prior to the commencement of the cable and equipment pedestal, installation; and,

(c) That the installation on the City property be performed to the satisfaction of the Manager of Real Estate Division, City Clerk's Department; and,

(d) That the term of the agreement be at the sole pleasure of City Council and cancellable upon 90 days written notice to Cogeco Cable Solutions; and,

(e) That Cogeco Cable Solutions be required to pay for the City's reasonable administrative costs incurred in the course of arranging this agreement, together with the City's reasonable legal expenses; and,

(f) That Cogeco Cable Solutions shall pay to the City as consideration for the privilege of occupying City owned property, the sum of $100 per annum; and,

(g) That the Mayor and City Clerk be authorized to execute this agreement on behalf of the City.

7. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES - Employee Appointments and Termination Report**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Commissioner of Human Resources dated 1997 June 3, respecting the above noted matter.

The Committee approved the following:

> That the Appointments and Terminations for all staff below the Department Head level which are forwarded to the Finance and Administration Committee, be forwarded for information and not as a recommendation.

8. **CITY SOLICITOR- Update - Information Report - Tax Collection; USARCO Limited and Frank Levy Properties; Toronto-Dominion Bank and Coopers & Lybrand Limited**

The Committee was in receipt of an information report from the City Solicitor dated 1997 June 5, respecting the above noted matter.

The City Solicitor spoke to this issue, and the Committee agreed to receive this document for information purposes.

ADDED - The City Solicitor advised the Committee that with respect to the Council's request to the Province to view the entire New Municipal Act prior to it being enacted, that the Province has advised that municipalities will be given the new Act six weeks prior to it being enacted.

ADDED - MAYOR ROBERT M. MORROW - 1997 World Junior Bridge Team Championship Reception

The Committee was in receipt of an added report from Mayor Robert M. Morrow dated 1997 June 10, respecting the above noted matter, and approved the following:

> That approval be granted for the hosting of a reception to be held on Monday 1997 August 4, at 7:00 o'clock p.m., by the City of Hamilton, for the 1997 World Junior Bridge Team Championship at a cost of $2,068, to be charged to Account No. CH54314-84010 Special Civic Receptions and Delegation Hosting.

ADDED - MAYOR ROBERT M. MORROW - Mount Olive Lodge No. 1 Free and Accepted Masons (Prince Hall) Warranted A.D. 1852 A.L. 5852, Hamilton, Ontario

The Committee was in receipt of an added report from Mayor Robert M. Morrow dated 1997 June 13, respecting the above noted matter.

The Committee approved the following:

> That approval be granted for the hosting of a luncheon reception for the Mount Olive Lodge No. 1 Free and Accepted Masons (Prince Hall) Warranted A.D. 1852. A.L. 5852, Hamilton, Ontario, by the Mayor at the Ramada and Howard Johnson Hotel for an estimated cost of $2,500, to be charged to Account No. CH54314-84010 Special Civic Receptions and Delegation Hosting.

ADDED - MAYOR ROBERT M. MORROW - The 65th Annual Conference of the Police Association of Ontario Reception/Opening Ceremony

The Committee was in receipt of an added report from Mayor Robert M. Morrow dated 1997 June 13, respecting the above noted matter, and approved the following:

That approval be granted for the co-sponsoring of the 65th Annual Conference of the Police Association of Ontario Reception/Opening Ceremonies on Sunday 1997 August 10, at 9:00 o'clock a.m., by the City of Hamilton for an estimated cost of $635 to be charged to Account No. CH54314-84010 Special Civic Receptions and Delegation Hosting.

9. OTHER BUSINESS

Alderman Ross spoke to the Committee about the need for sidewalk reconstruction projects across the City.

The Committee approved the following:

(a) That the Commissioner of Public Works and Traffic be authorized to reconstruct additional sidewalks on a City-wide basis in 1997 at a cost not to exceed $1,200,000; and,

(b) That the City Treasurer be authorized to incorporate the cost of an additional Sidewalk Reconstruction program on a City-wide basis in the amount of $1,200,000 as a part of the approved 1997 Capital Budget, and that the cost be financed from the Reserve for Capital Projects, Account Centre No. CH 00203; and,

(c) That staff be directed to review and recommend replenishment of the Reserve for Capital Projects, Account Centre No. CH 00203 out of the year end surplus, if available.

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1997 June 17

Appendix "A" referred to in Section 1 of the FOURTEENTH Report of the Finance and Administration Committee for 1997

1837 - 1997

A

REQUEST

to

HAMILTON CITY COUNCIL

from

THE HAMILTON FARMERS' MARKET STALLHOLDERS' ASSOCIATION

on the

160th. ANNIVERSARY

of the

HAMILTON FARMERS' MARKET

May 1997, ADRS

Q: WHY THE REQUEST?

A: 2,000,000 People a year is valuable to the downtown.

"The Hamilton Farmers' Market is more valuable to the stability and well-being of the downtown core than is generally recognized".

The market is an anchor and a centre for a special type of human contact and communication. After 160 years, it remains a constant focal point for thousands of Hamilton's citizens and a wonder to many visitors.

It has always been a meeting place. The market is a social institution. It is one place were you are just as likely to bump into an old friend you haven't seen for years or a new acquaintance you were talking to only the other day.

The market draws people to the core. It is one reason for people to visit or live in the downtown. Not only for practical reasons, but for something more intangible. The market helps define the spirit, friendliness, and vitality that makes living in a city exciting. It is one of the elements that creates economic activity.....***but more importantly spins off a host of other contributions towards city life.***

The Hamilton Farmers' Market is more than a commercial supermarket.

The market:
- is Canada's largest indoor market
- is a Hamilton tradition
- is of historical significance
- brings the community together
- provides unique personalized service
- helps makes the downtown a warmer, friendlier place
- provides ethnic diversity and interest
- is convenient for downtown living

In the document, ***"Strong Medicine....A Prescription for the Heart of Hamilton"*** many recommendations of a dynamic and aggressive nature are put forth. Several of these initiatives are totally compatible with the activities of the market. Opportunities exists to parlay the drawing power of the market and help improve the health of the downtown.

Section 2.6.1 of this document states as it's first objective:

> "To analyze the obstacles that stand in the way of meeting our collective objective of making the Downtown of Hamilton and of the Hamilton-Wentworth regional community a place where our community can ***"live, work, visit and play".***

ADRS

A COMMERCIAL AND SOCIAL INSTITUTION

The City of Hamilton principally, and the Region of Hamilton-Wentworth in specific ways, have provided massive investments in the downtown. The use of taxpayers' dollars for Copps Coliseum, Hamilton Place, the Convention Centre among others, are examples of the faith and confidence the City of Hamilton hold in the downtown. These are public facilities, providing much more than just a commercial return to the city. They provide a quality of life that is important to the community's health. They also produce beneficial customer traffic to the strictly commercial enterprises located in the downtown.

Jackson Square, Eaton's and the Sheraton Hotel partnerships with the City of Hamilton, came together by using a combination of public and private dollars. This is just a partial example of the effort to develop a healthy downtown.

In other areas, tax dollars are used to attract special events. Events may draw a few hundred people into the downtown or even several thousands for a couple of hours or a few days. For a variety of reasons, all this effort, to bring more people and presumably more dollars to be spent in the Hamilton-Wentworth region, is judged to be worthy.

Approximately ***2,000,000 people**** pass through the Hamilton Farmers' Market annually. Placed in context with the HECFI facilities: Copps Coliseum **650,000** - Hamilton Place **100,000** and the Convention Centre **180,000.** In total, the HECFI facilities draws under 1,000,000 people annually. It is clearly recognized that the HECFI facilities provide a real boost to the downtown. What is often forgotten is the market's role as a significant player promoting the health of the downtown.

It is the intent of this submission to persuade the City Council of Hamilton, and where required, the Regional Council of Hamilton-Wentworth and the appropriate reporting committees, the value of supporting the Farmers' Market.

As part of this year's 160th. Anniversary of the Hamilton Farmers' Market we are requesting the City Council to assist us with the celebrations. We want to continue to serve the citizens of Hamilton and welcome more out-of-town visitors to share the market experience. We are requesting Council's support in four specific areas. We believe, support for of the recommendations, will benefit the market, the downtown, and the City generally.

Attached is a outline of the program for the 160th. Anniversary of the Hamilton Farmers' Market.

* A market customer survey of market users was prepared by the Hamilton-Wentworth Planning and Development Department in 1988.

RECOMMENDATIONS

#1 NO COST CONVENIENT PARKING

That the City of Hamilton re-organize the parking regulations along the south side of York Blvd., between Bay Street and James Street. Establish the maximum number of no-charge one and/or two hour on-street parking spaces along this stretch of York Blvd.....**or** in the alternative, construct lay-bys for parking. That the program remain in place and evaluated for a one year trial period. That a system of compassionate enforcement be implemented.

RATIONALE FOR RECOMMENDATION

Patrons of the market are limited in the amount of produce they can physically carry. The closer patrons are able to park near the market the more convenient it becomes. Most people who shop at the market can easily purchase all their produce in less than an hour. Free, nearby, turnover parking is believed to be an inducement for people to shop at the market. Eaton's and the nearby Jackson Square stores will also benefit from this recommendation. It is equally important to work at this parking problem to shore-up Eaton's business and the stores in Jackson Square.

DISCUSSION

We are aware such a recommendation is controversial.

In view of the state of our downtown, we believe ***strong medicine*** is required. Some will say such measures impede traffic flow, cause congestion, present a safety hazard, affect private parking lot operators and create enforcement problems. Our response to these concerns is to ask everyone to take a good look at York Blvd. It is a marvel of transportation efficiency. It moves traffic quickly and efficiently. Years ago York Street was congested. Old stores were full of people. The market square was a hectic sea of people, cars and farmers' trucks. Far too much congestion for a healthy downtown.

Take another look at York Street. The commercial vibrancy predicted for York Blvd. is slow to materialize. Many years after its completion few people would call it a promenade. The pall over Jackson Square and the recent scare with Eaton's, is yet another sign that we need ***strong medicine.*** No single factor may account for the current situation. But perhaps the sterile streetscape and the dominance of vehicular street traffic needs a change.

Eaton's is the last significant department store downtown. To lose such a valuable commercial enterprise would be devastating. Eaton's and the market share many of the same customers. It is important to keep both strong.

ADRS

A LITTLE CONGESTION IS NOT ALL BAD

We believe a little congestion and greater people activity on York Blvd. is a positive. We believe a little slowing down of the traffic on York Blvd. between Bay and James street is safer for people. We believe a few free, one hour parking spaces is warranted. We believe increasing the shopping traffic downtown is good business for the parking lot operators. Better to have an overflow of vehicles from the street than an abandonment of the downtown. We believe, sensible, compassionate, parking enforcement is possible.

#2 ENDORSE THE MARKET'S 160th ANNIVERSARY PROGRAM

This recommendation is self-evident. What may appear unusual is the order in which it appears.

DISCUSSION

We feel confident that City Council will endorse our program. But, because parking is the number one concern it is placed before all others in terms of importance. While the Traffic Department is presently reviewing our request for free on-street parking we ask Council to keep the parking issue as a top priority.

#3 SIGNS AT VARIOUS ENTRANCES TO THE CITY OF HAMILTON

That the City of Hamilton erect a series of signs at various strategic entry points into the city. These signs will promote, and give directions, to the downtown and the Hamilton Farmers' Market.

DISCUSSION

This recommendation is concise and easily accommodated. City, Regional and private property can be identified for this use. The signs should reflect the Victorian theme being emphasized in the Downtown Revitalization Plans. The signs should be tasteful, ornate and decorative. Attractive landscaping around the signs could provide a pleasing and softening effect. The details can be negotiated. Properly implemented we could avoid the garish look of some past signage experiments.

The life of this recommendation is simply dependent on political will. We ask that the appropriate personnel be directed to work with the stallholders on this project.

#4 FREE BUS PASSES TO THE DOWNTOWN

Provide political support in a mutal-aid arrangement with the HSR for free bus passes to the market/downtown.

DISCUSSION

The HSR's ridership issue is a matter for continual concern. Bringing more people downtown is obviously an issue of concern. We believe a mutual-aid arrangement between the HSR and the market and other downtown merchants has the potential to increase ridership and attract people to the market and the downtown. One-way coupons (bus fare) from any point in the Region to the downtown could be provided to shoppers heading downtown. One-way return coupons (bus fare), to be provided or stamped by the market, or other participating downtown merchants, upon proof of purchase. The administrative details can be negotiated.

CONCLUSION

The attached program and recommendations provides the reasons and information to support our request to City Council. We ask you to help us, to help the downtown, be the kind of place to ***"live, work, visit, and play"***.

ADRS

A

160TH. BIRTHDAY

CELEBRATION

OF THE

HAMILTON FARMERS' MARKET

1837 - 1997

ADRS - May 1997

INTRODUCTION

1997 is the 160th anniversary of the Hamilton Farmers' Market. In recognizing this milestone, the Hamilton Farmers' Market Stallholders' Association decided to initiate a special program to celebrate this achievement.

Last year, in 1996, the City of Hamilton celebrated it's successful Sesquicentennial. During this celebration of the 150th anniversary of the founding of the City of Hamilton, a realization took place regarding the market. This public institution has provided a continual source of strength and vitality to the downtown. Many had forgotten just how valuable the market is to Hamilton. Many enjoy and appreciate the market, but take it for granted - it has always been there.

As part of the 1996 Sesqui celebrations, the ***"Walk Through Time"*** pictorial display was unveiled at the Farmers' Market. The large black and white pictures, hanging prominently from the high market ceilings, helps to remind us of our roots. The historical significance and the continuing valuable contribution the market makes to this community is often overlooked.

Many people did not realize the market is older than the city itself. It was the market that first became the economic and social centre of this community. The city, then expanded around this centre of activity. Today, downtown Hamilton struggles to meet a variety of challenges. The market faces many of these same challenges, but undaunted it remains an interesting and refreshing oasis in the centre of the downtown.

It is this oasis that offers people a welcome relief in the midst of difficulty. It is this oasis that helps to provide the downtown with a diversity of sights and sounds. It is the hustle and bustle of people coming to market that creates excitement and interest. The market is a special place. It is beyond being a place to simply purchase produce. It is a community meeting place that touches and pleases the physical senses. It provides a social and economic vibrancy to our downtown. Its a measure of what it means to be a community.

The question being posed by many of our community leaders is how to restore vibrancy to the downtown? One answer to that question is to maintain and enhance what has always been working, but not always consciously appreciated. The Hamilton Farmers' Market is a hometown institution with 160 years of tradition that enriches the life of Hamilton.

In January of this year, a committee composed mainly of market stallholders was established to develop plans to celebrate and enhance this local attraction. Former Alderman Brian Hinkley, now Community Relations Consultant and President of Alternative Dispute Resolution Services, is assisting in the development of a plan, and helping to coordinate the program.

ADRS

IDEAS ARE GENERATED

In January 1997, a brainstorming meeting was held to explore a variety of ways in which the market could be promoted and celebrated. Once the objectives for the 160th. Anniversary were agreed upon, a list of 43 specific ideas were suggested. During the month of February, the ideas were circulated and members of the committee were encouraged to reflect upon and discuss the ideas. Others in the community, who have a fondness for the market were asked to help, or be part of, the anniversary program.

In March, the committee met to pare down and prioritize the list of ideas. The ideas were developed into a program that reflected the objectives for the birthday celebrations. The program was costed and a budget was agreed upon. It was clear the budget exceeded the funds available. The committee decided to make a direct appeal to City Council for the shortfall in funding.

CITY CLERK'S DEPARTMENT PROVIDES ASSISTANCE

The administration of the Hamilton Farmers' Market is directed through the City Clerk's Department. When the City Clerk's Department was made aware of the market's anniversary program they suggested that the objectives of the market program may be achieved through alternative means. Recognizing the tight fiscal realities facing City Council, it was suggested to utilize the existing resources of various civic departments. It was further suggested that the market program piggy-back on this year's special downtown revitalization plans and thereby produce a synergy of effort.

During April and May the elements of the program were discussed with various city staff. Mr. Stan Hollowell, of the Clerk's Department was of great assistance by bringing together various civic departments and the market representatives. Through the utilization of existing resources, rather than fund a program entirely with separate unbudgeted dollars, an alternative program was agreed upon.

The following represents the thrust of the program to celebrate the 160th anniversary of the Hamilton Farmers' Market. Other ideas and suggestions may come forth due to fortunate circumstances or good luck. They will be acted upon when such opportunities arise. The bulk of this program does not require political approval. However, the 160 Anniversary Committee believes it is important that the members of Hamilton City Council receive this information and be in a position to respond when required. The committee is placing four recommendations that should receive the blessings, and possibly direction of City Council.

ADRS

GENERAL ELEMENTS OF THE PROGRAM

The following provides a quick overview of the simple elements that will comprise the main focus for the market celebrations.

* Free market parking
* Planned special events at or around the Market
* Spectator and other media to do feature articles on the market
* Coordinate with the downtown revitalization activities
* Seek promotional opportunities in conjunction with the Hamilton Health Sciences Corporation fund-raising gala being held at the market
* Plug into promotional opportunities through the Culture and Recreation Dept.
* Involvement and participation of Jackson Square/ Eaton's where suitable
* Special draws for market customers
* Community advertising
* Commercial media advertising

REQUEST TO CITY COUNCIL

* Support for more free parking in the vicinity of the market
* Statement of support for the program
* Direction to establish "Big" signs on the highway entrances into the city designed to promote the market and the downtown
* Assist to establish an appropriate arrangement with the HSR for free bus passes to the downtown/market

ADRS

THE PROGRAM IN BRIEF

*** Free Market Parking**

There is no issue dominating the concerns of market stallholders more than parking arrangements. This is a matter that is not clearly resolvable, without in some way, affecting the interests of others. It involves tradeoffs. Decisions will need to reached as to the appropriateness of trading-off traffic flow, paid parking or other concerns. The provision of some free parking, close as possible to the market is deemed critical to the success of downtown shopping and the retail trade. The market is requesting parking along both sides of York Street between Bay and James Street, where it is possible. That the on-street parking be free for periods of one to two hours. That a system of compassionate enforcement be implemented.

The success of the market, the continued existence of Eaton's (Hamilton's last significant downtown department store), and the maintenance of a healthy Jackson Square shopping complex is critically important. This issue of free, convenient, parking must be addressed. The City's Traffic Department is evaluating the market's request.

Because this issue is the number one concern the matter is raised again under the specific requests to City Council.

*** Planned Special Events**

Throughout this year special events, such as a children's petting zoo, corn shucking contests, dunk tanks, apple-bobbing, taffy-pulling, etc. have been suggested to focus attention on the market. A special day to celebrate the birthday itself will be organized. An on-site radio broadcast may be utilized in conjunction with a special 3 to 4 hour charity fundraising effort or a program of short interviews with local celebrities chatting about their personal **"Memories of the Market"** and **"The Market's Future Potential"**, have been suggested.

*** Media Articles on the Market**

Throughout the year the committee will explore opportunities to involve the local media in newsworthy events, and public interest stories about the Farmers' Market and, follow-up on any offers of free advertising.

*** Coordination with the Downtown Revitalization**

Hamilton Farmers' Market will be taken to the people through specially designed farmers' display carts set-up throughout the Gore and downtown core. The market will also be promoted in the advertising and various special publications being produced under the theme ***"positively downtown"***.

ADRS

*** Supporting the Market as a Unique Attraction**

The market stallholders is supporting the facility as an interesting venue for a fundraising event. This first-time event could prove the forerunner for other opportunities. The Hamilton Health Sciences Corporation will be holding a charity fund-raiser food emporium gala in the market. The food for the event will be purchased from the market. The stallholders may also be involved with the event in other ways. In the future the market may also be used as a site for a hoe-down or country dance. All of which could lend itself to additional business for the stallholders, revenue raising, and special promotional opportunities.

*** Culture and Recreation Department**

The market will be included in the Culture and Recreation Department's Sping/Summer brochure and Fall/Winter brochure. Combined circulation is in excess of 30,000.

*** Involvement and Participation of Jackson Square - Eaton's, et al.**

There are mutual benefits and opportunities by involving those nearby establishments to create synergy by working together. This could also involve Copps Coliseum, the Public Library, the Hamilton Sheraton and others.

*** Special Draws for market customers, free trips - other prizes**

This program is one that can be easily developed and implemented. Draws can be changed to suit the circumstances or held in conjunction with an outside organization or other events.

*** Community Advertising and Promotion**

The Parks Department have agreed to recognize the market's 160th year by planting a floral arrangement in the City Hall forecourt. The Hotz Community sign across from Hamilton Airport will be used to promote the market during the Spring, Summer and Fall of this year. The downtown revitalization plans include the market on advertising panels in approximately 40 bus shelters.

*** Commercial Advertising**

Paid commercial advertising will be planned in conjunction with the overall program to promote the market and its special activities.

ADRS

***Request to City Council**

The City of Hamilton has a special relationship with the Hamilton Farmers' Market. Many publicly-owned facilities in the downtown core hold an aura of prestige and commands attention from the City Council. The Farmers' Market, while it attracts people to the downtown, has remained somewhat of a forgotten asset.

The market was born is 1837 and has remained as a social and community institution ever since. The valuable contribution that the market makes to this community is understated. It is important for the members of City Council to be informed of this year's activities and have the opportunity to see the market in the same light in which the market was founded. A people place. A friendly place. An informal community meeting place.

The program has elements that require some political assistance. A presentation to the City Council, through the appropriate committee, Finance and Administration, will outline these requests.

It is proposed the City Council do the following:

1) Provide free parking close to the market

2) Endorse the 160th Anniversary Program

3) Explore an arrangement for a promotional free bus pass program to the downtown in conjunction with the Hamilton Farmers' Market. The HSR may wish to advertise their services in return for a free bus pass arrangement. This initiative can obviously be arranged independently from the market celebrations. It is the contention that further incentives to draw people downtown are required. Destination bus passes to the downtown is one more incentive.

4) "Big" Signs at Entrances to the City promoting the Market/Downtown

The City of Hamilton can control this initiative through the various civic departments. This will require a political directive.

This above recommendations are addressed more fully in a separate document that forms the basis for the presentation to the Finance and Administration Committee.

ADRS

The City of Hamilton

LISTS OF CAPITAL PROJECTS – INTERNAL FINANCING ARRANGED THROUGH RESERVE

No. (1)	PROJECTS (2)	ACCOUNT CENTRE NUMBER (3)	AUTHO-RIZING BY-LAW NUMBER (4)	ONTARIO MUNICIPAL BOARD NUMBER (5)	ONTARIO MUNICIPAL BOARD DATE (6)	DEBENTURE AMOUNT AUTHO-RIZED (7)	DEBT/ RESERVE FINANCING TO DATE (8)	MAXIMUM DEBT TO BE ISSUED (9)	INTERNAL FINANCING THROUGH RESERVE 1997 (10)
	BUILDING & RECREATION DEPARTMENT:								
1	BARRIER FREE DESIGN ACCESS – Recreation Buildings (Infrastructure)	CF 809453003	94–135	N/A	N/A	89,333		89,333	89,333
2	BARRIER FREE DESIGN ACCESS – Recreation Buildings (Infrastructure)	CF 809453004	94–135	N/A	N/A	62,667		62,667	62,667
3	BARRIER FREE DESIGN ACCESS – City owned Buildings (Infrastructure)	CF 809453005	94–135	N/A	N/A	966,667	494,836	471,831	471,831
	PROPERTY DEPARTMENT:								
4	CITY HALL–REPLACE EXISTING CHILLERS & ASSOCIATED EQUIP (Infra.)	CF 809453012	97–033	N/A	N/A	113,333		113,333	113,333
5	MOUNTAIN COMPOSITE – ROOF REPLACEMENT	CF 319441014	94–095	N/A	N/A	65,000		65,000	65,000
6	MACNAB RECREATION CENTRE – BUILDING ENVELOPE REPAIRS	CF 319441015	94–095	N/A	N/A	250,000	197,935	52,065	52,065
7	BARRIER FREE DESIGN ACCESS – RECREATION BUILDINGS	CF 329441016	94–095	N/A	N/A	394,000	197,935	196,065	196,065
	FIRE DEPARTMENT:								
8	RENOVATE THE FIRE STATION AT WOODWARD AND MELVIN (Infra.)	CF 809453011	97–033	N/A	N/A	66,667		66,667	66,667
	CULTURE & RECREATION DEPARTMENT:								
9	DUNDURN CASTLE RESTORATIONS S. & W. Facades including Dovecote & Stables	CF 719441022	94–095	N/A	N/A	1,726,000		1,726,000	1,726,000
	PUBLIC WORKS & TRAFFIC:								
10	ROAD & SIDEWALK RECONSTRUCTION PROGRAM – Local Roads – Phase I	CF 529542001	95–090/95–216	N/A	N/A	5,419,000	4,269,092	1,149,908	1,149,908
11	ROAD & SIDEWALK RECONSTRUCTION PROGRAM	CF 529642001	96–050	N/A	N/A	4,524,000	52,048.85	4,471,951	1,000,000
12	QUEEN STREET STEPS – CONSTRUCTION	CF 609449020	94–095	N/A	N/A	540,000	296,902	243,098	243,098
13	ROAD & SIDEWALK RECONSTRUCTION PROGRAM (Infrastructure)	CF 809453008	94–135	N/A	N/A	1,203,234	989,673	213,561	213,561
14	ROAD & SIDEWALK RECONSTRUCTION PROGRAM (Infrastructure)	CF 809453009	95–18	N/A	N/A	227,406	98,967	128,439	128,439
15	ROAD & SIDEWALK RECONSTRUCTION (Infrastructure)	CF 809453010	97–033	N/A	N/A	1,374,833		1,374,833	1,374,833
16	MOHAWK SPORTS PARK	CF 629154022	91–210	E 910208	28–Mar–91	470,000	282,834	187,166	187,166
17	BASEBALL FACILITIES DEVELOPMENT	CF 629254004	92–217/92–283	E 920503	03–Sep–92	1,500,000	1,472,160	27,840	27,840
18	CONSTRUCTGAGE PARK FACILITIES BUILDING	CF 629064019	90–268/94–181	E 900568	14–Jun–90	460,000	419,380	40,620	40,620
19	T. B. MCQUESTON PARK	CF 629254005	92–216/94–123	E 920490	07–Jul–94	2,115,525		2,115,525	704,859
20	CHEDOKE MOUNTAIN STEPS	CF 629449012	94–095	N/A	N/A	378,000	343,416	34,584	34,584
21	LIGHTING SAFETY – IMPROVEMENTS	CF 629454013	94–095	N/A	N/A	233,000	98,967	134,033	134,033
22	CROWN POINT EAST/MCANULTY – PHASE VI	CF 429407001	94–095	N/A	N/A	400,000	296,902	103,098	103,098
23	GORE PARK WALKWAY RESTORATION	CF 629543010	95–090	N/A	N/A	315,000		315,000	315,000
24	PLAYSTRUCTURE DEVELOPMENT (Infrastructure)	CF 809453013	97–033	N/A	N/A	100,000		100,000	100,000
25	CREATIVE PLAYGROUND	CF 656652030	97–033	N/A	N/A	400,000		400,000	400,000
						23,393,665	9,511,048	13,882,617	9,000,000.00

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Appendix "B" referred to in Section 14 of the **FOURTEENTH** Report of the Finance and Administration Committee for 1997

The City of Hamilton
Treasury

Appendix "C" referred to in Section 14 of the **FOURTEENTH** Report of the Finance and Administration Committee for 1997

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
Internal Financing Through Reserve Consolidated Schedule 1997					
24-Jun-97					9,000,000.00
24-Jun-98	2,120,898.20	1,605,198.20	515,700.00	5.73%	7,394,801.80
24-Jun-99	2,120,898.20	1,697,176.06	423,722.14	5.73%	5,697,625.74
24-Jun-2000	2,120,898.20	1,794,424.25	326,473.95	5.73%	3,903,201.49
24-Jun-2001	2,120,898.20	1,897,244.77	223,653.43	5.73%	2,005,956.72
24-Jun-2002	2,120,898.04	2,005,956.72	114,941.32	5.73%	(0.00)
	10,604,490.84	9,000,000.00	1,604,490.84		

CONSISTING OF:

1. Barrier Free Design Access – Recreation Buildings (Infrastructure) Account Centre No. CF 809453003					
24-Jun-97					89,333.00
24-Jun-98	21,051.80	15,933.02	5,118.78	5.73%	73,399.98
24-Jun-99	21,051.80	16,845.98	4,205.82	5.73%	56,554.00
24-Jun-2000	21,051.80	17,811.26	3,240.54	5.73%	38,742.74
24-Jun-2001	21,051.80	18,831.84	2,219.96	5.73%	19,910.90
24-Jun-2002	21,051.79	19,910.90	1,140.89	5.73%	0.00
	105,258.99	89,333.00	15,925.99		
2. Barrier Free Design Access – Recreation Buildings (Infrastructure) Account Centre No. CF 809453004					
24-Jun-97					62,667.00
24-Jun-98	14,767.81	11,176.99	3,590.82	5.73%	51,490.01
24-Jun-99	14,767.81	11,817.43	2,950.38	5.73%	39,672.58
24-Jun-2000	14,767.81	12,494.57	2,273.24	5.73%	27,178.01
24-Jun-2001	14,767.81	13,210.51	1,557.30	5.73%	13,967.50
24-Jun-2002	14,767.84	13,967.50	800.34	5.73%	0.00
	73,839.08	62,667.00	11,172.08		

The City of Hamilton
Treasury

Internal Financing Through Reserve
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3. Barrier Free Design Access – City Owned Buildings (Infrastructure) Account Centre No. CF 809453005

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
24-Jun-97					471,831.00
24-Jun-98	111,189.50	84,153.58	27,035.92	5.73%	387,677.42
24-Jun-99	111,189.50	88,975.58	22,213.92	5.73%	298,701.84
24-Jun-2000	111,189.50	94,073.88	17,115.62	5.73%	204,627.96
24-Jun-2001	111,189.50	99,464.32	11,725.18	5.73%	105,163.64
24-Jun-2002	111,189.52	105,163.64	6,025.88	5.73%	(0.00)
	555,947.52	471,831.00	84,116.52		

4. City Hall – Replace Existing Chillers & Associated Equipment (Infrastructure) Account Centre No. CF 809453012

24-Jun-97					113,333.00
24-Jun-98	26,707.53	20,213.55	6,493.98	5.73%	93,119.45
24-Jun-99	26,707.53	21,371.79	5,335.74	5.73%	71,747.66
24-Jun-2000	26,707.53	22,596.39	4,111.14	5.73%	49,151.27
24-Jun-2001	26,707.53	23,891.16	2,816.37	5.73%	25,260.11
24-Jun-2002	26,707.51	25,260.11	1,447.40	5.73%	0.00
	133,537.63	113,333.00	20,204.63		

5. Mountain Composite Roof Replacement Account Centre No. CF 319441014

Date	Total Payment	Principal	Interest		Balance Outstanding
24-Jun-97					65,000.00
24-Jun-98	15,317.60	11,593.10	3,724.50	5.73%	53,406.90
24-Jun-99	15,317.60	12,257.38	3,060.22	5.73%	41,149.52
24-Jun-2000	15,317.60	12,959.73	2,357.87	5.73%	28,189.79
24-Jun-2001	15,317.60	13,702.33	1,615.27	5.73%	14,487.46
24-Jun-2002	15,317.59	14,487.46	830.13	5.73%	0.00
	76,587.99	65,000.00	11,587.99		

The City of Hamilton
Treasury

Internal Financing Through Reserve
For Previously Authorized Capital Projects

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Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
6. MacNab Recreation Centre – Building Envelope Repairs Account Centre No. CF 319441015					
24-Jun-97					52,065.00
24-Jun-98	12,269.40	9,286.08	2,983.32	5.73%	42,778.92
24-Jun-99	12,269.40	9,818.17	2,451.23	5.73%	32,960.75
24-Jun-2000	12,269.40	10,380.75	1,888.65	5.73%	22,580.00
24-Jun-2001	12,269.40	10,975.57	1,293.83	5.73%	11,604.43
24-Jun-2002	12,269.36	11,604.43	664.93	5.73%	0.00
	61,346.96	52,065.00	9,281.96		
7. Barrier Free Design Access – Recreation Buildings Account Centre No. CF 329441016					
24-Jun-97					196,065.00
24-Jun-98	46,203.77	34,969.25	11,234.52	5.73%	161,095.75
24-Jun-99	46,203.77	36,972.98	9,230.79	5.73%	124,122.77
24-Jun-2000	46,203.77	39,091.54	7,112.23	5.73%	85,031.23
24-Jun-2001	46,203.77	41,331.48	4,872.29	5.73%	43,699.75
24-Jun-2002	46,203.75	43,699.75	2,504.00	5.73%	0.00
	231,018.83	196,065.00	34,953.83		
8. Renovate the Fire Station at Woodward & Melvin (Infrastructure) Account Centre No. CF 809453011					
24-Jun-97					66,667.00
24-Jun-98	15,710.44	11,890.42	3,820.02	5.73%	54,776.58
24-Jun-99	15,710.44	12,571.74	3,138.70	5.73%	42,204.84
24-Jun-2000	15,710.44	13,292.10	2,418.34	5.73%	28,912.74
24-Jun-2001	15,710.44	14,053.74	1,656.70	5.73%	14,859.00
24-Jun-2002	15,710.42	14,859.00	851.42	5.73%	0.00
	78,552.18	66,667.00	11,885.18		

The City of Hamilton
Treasury

Internal Financing Through Reserve
For Previously Authorized Capital Projects

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Amortized Over Five Years @ The Rate Of **5.73%**

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
9. Dundurn Castle Restorations – S. & W. Facades including Dovecote & Stables Account Centre No. CF 719441022					
24-Jun-97					1,726,000.00
24-Jun-98	406,741.14	307,841.34	98,899.80	5.73%	1,418,158.66
24-Jun-99	406,741.14	325,480.65	81,260.49	5.73%	1,092,678.01
24-Jun-2000	406,741.14	344,130.69	62,610.45	5.73%	748,547.32
24-Jun-2001	406,741.14	363,849.38	42,891.76	5.73%	384,697.94
24-Jun-2002	406,741.13	384,697.94	22,043.19	5.73%	0.00
	2,033,705.69	1,726,000.00	307,705.69		
10. Road & Sidewalk Reconstruction Program Local Roads – Phase I Account Centre No. CF 529542001					
24-Jun-97					1,149,908.00
24-Jun-98	270,981.98	205,092.25	65,889.73	5.73%	944,815.75
24-Jun-99	270,981.98	216,844.04	54,137.94	5.73%	727,971.71
24-Jun-2000	270,981.98	229,269.20	41,712.78	5.73%	498,702.51
24-Jun-2001	270,981.98	242,406.33	28,575.65	5.73%	256,296.18
24-Jun-2002	270,981.95	256,296.18	14,685.77	5.73%	0.00
	1,354,909.87	1,149,908.00	205,001.87		
11. Road & Sidewalk Reconstruction Program Account Centre No. CF 529642001					
24-Jun-97					1,000,000.00
24-Jun-98	235,655.35	178,355.35	57,300.00	5.73%	821,644.65
24-Jun-99	235,655.35	188,575.11	47,080.24	5.73%	633,069.54
24-Jun-2000	235,655.35	199,380.47	36,274.88	5.73%	433,689.07
24-Jun-2001	235,655.35	210,804.97	24,850.38	5.73%	222,884.10
24-Jun-2002	235,655.36	222,884.10	12,771.26	5.73%	0.00
	1,178,276.76	1,000,000.00	178,276.76		

The City of Hamilton
Treasury

Internal Financing Through Reserve
For Previously Authorized Capital Projects

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Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
12. Queen Street Steps – Construction Account Centre No. CF 609449020					
24-Jun-97					243,098.00
24-Jun-98	57,287.34	43,357.82	13,929.52	5.73%	199,740.18
24-Jun-99	57,287.34	45,842.23	11,445.11	5.73%	153,897.95
24-Jun-2000	57,287.34	48,468.99	8,818.35	5.73%	105,428.96
24-Jun-2001	57,287.34	51,246.26	6,041.08	5.73%	54,182.70
24-Jun-2002	57,287.37	54,182.70	3,104.67	5.73%	0.00
	286,436.73	243,098.00	43,338.73		
13. Road & Sidewalk Reconstruction Program (Infrastructure) Account Centre No. CF 809453008					
24-Jun-97					213,561.00
24-Jun-98	50,326.79	38,089.74	12,237.05	5.73%	175,471.26
24-Jun-99	50,326.79	40,272.29	10,054.50	5.73%	135,198.97
24-Jun-2000	50,326.79	42,579.89	7,746.90	5.73%	92,619.08
24-Jun-2001	50,326.79	45,019.72	5,307.07	5.73%	47,599.36
24-Jun-2002	50,326.80	47,599.36	2,727.44	5.73%	0.00
	251,633.96	213,561.00	38,072.96		
14. Road & Sidewalk Reconstruction Program (Infrastructure) Account Centre No. CF 809453009					
24-Jun-97					128,439.00
24-Jun-98	30,267.34	22,907.79	7,359.55	5.73%	105,531.21
24-Jun-99	30,267.34	24,220.40	6,046.94	5.73%	81,310.81
24-Jun-2000	30,267.34	25,608.23	4,659.11	5.73%	55,702.58
24-Jun-2001	30,267.34	27,075.58	3,191.76	5.73%	28,627.00
24-Jun-2002	30,267.33	28,627.00	1,640.33	5.73%	0.00
	151,336.69	128,439.00	22,897.69		

The City of Hamilton
Treasury

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Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
15. Road & Sidewalk Reconstruction Program (Infrastructure) Account Centre No. CF 809453010					
24-Jun-97					1,374,833.00
24-Jun-98	323,986.76	245,208.83	78,777.93	5.73%	1,129,624.17
24-Jun-99	323,986.76	259,259.30	64,727.46	5.73%	870,364.87
24-Jun-2000	323,986.76	274,114.85	49,871.91	5.73%	596,250.02
24-Jun-2001	323,986.76	289,821.63	34,165.13	5.73%	306,428.39
24-Jun-2002	323,986.74	306,428.39	17,558.35	5.73%	(0.00)
	1,619,933.78	1,374,833.00	245,100.78		
16. Mohawk Sports Park Account Centre No. CF 629154022					
24-Jun-97					187,166.00
24-Jun-98	44,106.67	33,382.06	10,724.61	5.73%	153,783.94
24-Jun-99	44,106.67	35,294.85	8,811.82	5.73%	118,489.09
24-Jun-2000	44,106.67	37,317.25	6,789.42	5.73%	81,171.84
24-Jun-2001	44,106.67	39,455.52	4,651.15	5.73%	41,716.32
24-Jun-2002	44,106.67	41,716.32	2,390.35	5.73%	0.00
	220,533.35	187,166.00	33,367.35		
17. Baseball Facilities Development Account Centre No. CF 629254004					
24-Jun-97					27,840.00
24-Jun-98	6,560.65	4,965.42	1,595.23	5.73%	22,874.58
24-Jun-99	6,560.65	5,249.94	1,310.71	5.73%	17,624.64
24-Jun-2000	6,560.65	5,550.76	1,009.89	5.73%	12,073.88
24-Jun-2001	6,560.65	5,868.82	691.83	5.73%	6,205.06
24-Jun-2002	6,560.61	6,205.06	355.55	5.73%	0.00
	32,803.21	27,840.00	4,963.21		

The City of Hamilton
Treasury

Internal Financing Through Reserve
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Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
18. Construct Gage Park Facilities Building Account Centre No. CF 629064019					
24-Jun-97					40,620.00
24-Jun-98	9,572.32	7,244.79	2,327.53	5.73%	33,375.21
24-Jun-99	9,572.32	7,659.92	1,912.40	5.73%	25,715.29
24-Jun-2000	9,572.32	8,098.83	1,473.49	5.73%	17,616.46
24-Jun-2001	9,572.32	8,562.90	1,009.42	5.73%	9,053.56
24-Jun-2002	9,572.33	9,053.56	518.77	5.73%	0.00
	47,861.61	40,620.00	7,241.61		
19. T. B. McQueston Park Account Centre No. CF 629254005					
24-Jun-97					704,859.00
24-Jun-98	166,103.80	125,715.38	40,388.42	5.73%	579,143.62
24-Jun-99	166,103.80	132,918.87	33,184.93	5.73%	446,224.75
24-Jun-2000	166,103.80	140,535.12	25,568.68	5.73%	305,689.63
24-Jun-2001	166,103.80	148,587.78	17,516.02	5.73%	157,101.85
24-Jun-2002	166,103.79	157,101.85	9,001.94	5.73%	0.00
	830,518.99	704,859.00	125,659.99		
20. Chedoke Mountain Steps Account Centre No. CF 629449012					
24-Jun-97					34,584.00
24-Jun-98	8,149.90	6,168.24	1,981.66	5.73%	28,415.76
24-Jun-99	8,149.90	6,521.68	1,628.22	5.73%	21,894.08
24-Jun-2000	8,149.90	6,895.37	1,254.53	5.73%	14,998.71
24-Jun-2001	8,149.90	7,290.47	859.43	5.73%	7,708.24
24-Jun-2002	8,149.92	7,708.24	441.68	5.73%	0.00
	40,749.52	34,584.00	6,165.52		

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Treasury

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Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
21. Lighting Safety – Improvements Account Centre No. CF 629454013					
24-Jun-97					134,033.00
24-Jun-98	31,585.59	23,905.50	7,680.09	5.73%	110,127.50
24-Jun-99	31,585.59	25,275.28	6,310.31	5.73%	84,852.22
24-Jun-2000	31,585.59	26,723.56	4,862.03	5.73%	58,128.66
24-Jun-2001	31,585.59	28,254.82	3,330.77	5.73%	29,873.84
24-Jun-2002	31,585.61	29,873.84	1,711.77	5.73%	0.00
	157,927.97	134,033.00	23,894.97		
22. Crown Point East/McAnulty – Phase VI Account Centre No. CF 429407001					
24-Jun-97					103,098.00
24-Jun-98	24,295.60	18,388.08	5,907.52	5.73%	84,709.92
24-Jun-99	24,295.60	19,441.72	4,853.88	5.73%	65,268.20
24-Jun-2000	24,295.60	20,555.73	3,739.87	5.73%	44,712.47
24-Jun-2001	24,295.60	21,733.58	2,562.02	5.73%	22,978.89
24-Jun-2002	24,295.58	22,978.89	1,316.69	5.73%	0.00
	121,477.98	103,098.00	18,379.98		
23. Gore Park Walkway Restoration Account Centre No. CF 629543010					
24-Jun-97					315,000.00
24-Jun-98	74,231.44	56,181.94	18,049.50	5.73%	258,818.06
24-Jun-99	74,231.44	59,401.17	14,830.27	5.73%	199,416.89
24-Jun-2000	74,231.44	62,804.85	11,426.59	5.73%	136,612.04
24-Jun-2001	74,231.44	66,403.57	7,827.87	5.73%	70,208.47
24-Jun-2002	74,231.42	70,208.47	4,022.95	5.73%	(0.00)
	371,157.18	315,000.00	56,157.18		

The City of Hamilton
Treasury

Internal Financing Through Reserve
For Previously Authorized Capital Projects

From the Reserve for Replacement of Mobile Equipment, A/c Centre No. CH 00101
The rate based on 5 year Canada Bond Rate as at December 31, 1996
Amortized Over Five Years @ The Rate Of 5.73%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
24. Playstructure Development (Infrastructure) Account Centre No. CF 809453013					
24-Jun-97					100,000.00
24-Jun-98	23,565.54	17,835.54	5,730.00	5.73%	82,164.46
24-Jun-99	23,565.54	18,857.52	4,708.02	5.73%	63,306.94
24-Jun-2000	23,565.54	19,938.05	3,627.49	5.73%	43,368.89
24-Jun-2001	23,565.54	21,080.50	2,485.04	5.73%	22,288.39
24-Jun-2002	23,565.51	22,288.39	1,277.12	5.73%	0.00
	117,827.67	100,000.00	17,827.67		
25. Creative Playground Account Centre No. CF 656652030					
24-Jun-97					400,000.00
24-Jun-98	94,262.14	71,342.14	22,920.00	5.73%	328,657.86
24-Jun-99	94,262.14	75,430.04	18,832.10	5.73%	253,227.82
24-Jun-2000	94,262.14	79,752.19	14,509.95	5.73%	173,475.63
24-Jun-2001	94,262.14	84,321.99	9,940.15	5.73%	89,153.64
24-Jun-2002	94,262.14	89,153.64	5,108.50	5.73%	(0.00)
	471,310.70	400,000.00	71,310.70		

The City of Hamilton
Treasury

Appendix "D" referred to in Section 14 of the **FOURTEENTH** Report of the Finance and Administration Committee for 1997

Internal Financing Through Reserves

Owners' Share of Locals

Accounts Closed in 1995 for Initial Rating in 1996

Rate Used for Tax Roll 9.25% for 15 Year Amortization

Date	Total Payment	Principal	Interest 9.25%	Balance Outstanding
24-Jun-97				43,818.33
24-Jun-98	5,516.53	1,463.33	4,053.20	42,355.00
24-Jun-99	5,516.53	1,598.69	3,917.84	40,756.30
24-Jun-2000	5,516.53	1,746.57	3,769.96	39,009.73
24-Jun-2001	5,516.53	1,908.13	3,608.40	37,101.60
24-Jun-2002	5,516.53	2,084.63	3,431.90	35,016.96
24-Jun-2003	5,516.53	2,277.46	3,239.07	32,739.50
24-Jun-2004	5,516.53	2,488.13	3,028.40	30,251.37
24-Jun-2005	5,516.53	2,718.28	2,798.25	27,533.08
24-Jun-2006	5,516.53	2,969.72	2,546.81	24,563.36
24-Jun-2007	5,516.53	3,244.42	2,272.11	21,318.94
24-Jun-2008	5,516.53	3,544.53	1,972.00	17,774.40
24-Jun-2009	5,516.53	3,872.40	1,644.13	13,902.00
24-Jun-2010	5,516.53	4,230.59	1,285.94	9,671.41
24-Jun-2011	5,516.53	4,621.92	894.61	5,049.49
24-Jun-2012	5,516.56	5,049.48	467.08	0.00
	82,748.03	43,818.33	38,929.70	

05/28/97 (File ID No. NRA:CAPBUDGT\DEBSCHED\LOCALS95)

The City of Hamilton
Treasury

Internal Financing Arrangements to be made for Owners' Share of Local Improvements Closed in 1995 for Initial Rating in 1996

Centre Number CF (1)	Street (2)	Side (3)	From (4)	To (5)	By–Law Number (6)	Total Cost (8)	Debenture Authority (9)	Owners' Portion of Costs (10)	Commutations (11)	Amount to be Debentured (12)
Independent Curb										
529221001	Upper Kenilworth Avenue	east	Landron Avenue	Limeridge Road	92–181	33,514.69	n/a	–		0.00
Walk and Combined Curb										
529423005	Brock Street	south	John North	24m east of Hughson North (frontage 10 Brock)	94–153	39,116.84	6,232.00	6,232.00		6,232.00
Walk Only										
529424016	Upper James Street	west	Rymal Road	Christopher Drive	94–151	76,543.17	37,876.00	37,875.77	11,595.34	26,280.43
Alleyway										
529325002	First north of Barton East		Tragina North	Weir North (east west portion)	94–089 (93–225)	29,116.74	5,225.00	5,225.00		5,225.00
529325003	Btwn Fairfield North & Paling		Britannia Avenue	north limit of 226 Fairfield and 255 Paling	94–090 (94–025)	36,867.18	11,076.00	11,076.00	4,995.10	6,080.90
						215,158.62	60,409.00	60,408.77	16,590.44	43,818.33
							Deduct: Commutations	16,590.44		
								43,818.33		43,818.33

05/28/97

Appendix "E" referred to in Section 14 of the **FOURTEENTH** Report of the Finance and Administration Committee for 1997

The City of Hamilton
Treasury

Internal Financing Through Reserves
Owners' Share of Locals
Accounts Closed in 1996 for Initial Rating in 1997
Rate Used for Tax Roll 7.00% for 15 Year Amortization

Date	Total Payment	Principal	Interest 7.00%	Balance Outstanding
24-Jun-97				219,116.74
24-Jun-98	24,057.84	8,719.67	15,338.17	210,397.07
24-Jun-99	24,057.84	9,330.05	14,727.79	201,067.02
24-Jun-2000	24,057.84	9,983.15	14,074.69	191,083.87
24-Jun-2001	24,057.84	10,681.97	13,375.87	180,401.90
24-Jun-2002	24,057.84	11,429.71	12,628.13	168,972.19
24-Jun-2003	24,057.84	12,229.79	11,828.05	156,742.40
24-Jun-2004	24,057.84	13,085.87	10,971.97	143,656.53
24-Jun-2005	24,057.84	14,001.88	10,055.96	129,654.65
24-Jun-2006	24,057.84	14,982.01	9,075.83	114,672.64
24-Jun-2007	24,057.84	16,030.76	8,027.08	98,641.88
24-Jun-2008	24,057.84	17,152.91	6,904.93	81,488.97
24-Jun-2009	24,057.84	18,353.61	5,704.23	63,135.36
24-Jun-2010	24,057.84	19,638.36	4,419.48	43,497.00
24-Jun-2011	24,057.84	21,013.05	3,044.79	22,483.95
24-Jun-2012	24,057.83	22,483.95	1,573.88	(0.00)
	360,867.59	219,116.74	141,750.85	

05/28/97 (File ID No. NRA:CAPBUDGT\DEBSCHED\LOCALS96)

The City of Hamilton
Treasury

Internal Financing Arragements to be made for Owners' Share of Local Improvements Closed in 1996 for Initial Rating in 1997

Centre Number CF (1)	Street (2)	Side (3)	From (4)	To (5)	By–Law Number (6)	Total Cost (8)	Debenture Authority (9)	Owners' Portion of Costs (10)	Commutations (11)	Amount to be Debentured (12)
Independent Curb										
529521002	Glenfern Avenue	south	Mountain Avenue	32m e'ly (flankage of 61 Mountain Avenue)	95–187	2,827.18	637.00	637.00	–	637.00
Roadway (with curbs & walks)										
529426009	Ferguson Avenue	both	Cannon Street	Barton Street	94–152	466,447.49	335,950.50	192,705.55	19,413.28	173,292.27
Walk Only										
529524020	Rymal Road	south	Upper James Street	Springside Drive	96–017 (95–155)	78,363.75	50,666.70	49,502.90	16,124.15	33,378.75
529624021	Solidarnosc Place	south	St. Olga Street	Barnesdale Avenue North	96–088	10,385.62	1,396.83	1,396.83	1,396.83	0.00
529324015	Upper Ottawa Street	east	Stone Church Road	275m n'ly	94–026	12,887.91	22,428.00	11,808.72	–	11,808.72
						570,911.95	411,079.03	256,051.00	36,934.26	219,116.74
						Deduct: Commutations		36,934.26		
								219,116.74		219,116.74

05/28/97

03/07/97

to the Agreement of Purchase and Sale between
Air Liquide Canada Inc. (ALC) and
The Corporation of the City of Hamilton (the City)
regarding the conveyance of 125 Birmingham St., Hamilton

Appendix "F" referred to in Section 20 of the **FOURTEENTH** Report of the Finance and Administration Committee for 1997

1. Paramountcy

The provisions contained in this Schedule supersede any contrary terms contained in the City of Hamilton's standard form agreement to which this Schedule is attached.

2. Completion Date

This agreement shall be completed at 1:00 p.m. on the 20th day of June, 1997, unless the parties agree, in writing, to an earlier date. But the Purchaser may delay closing for up to 90 days to accommodate ALC's purchase of the Ontario Hydro lands (clause 3 below) and ALC's purchase from Stelco Inc. (clause 4 below).

3. Conditional Upon Ontario Hydro Acquisition

Completion of this agreement by ALC is conditional upon ALC and Ontario Hydro entering into and completing an agreement of purchase and sale pursuant to which Ontario Hydro conveys to the ALC the lands immediately to the south of the City's lands being the lands described in Hydro Deed No. 75707 N.S. shown in yellow on the attached sketch.

4. Conditional Upon Stelco Acquisition

Completion of this agreement by ALC is conditional upon ALC and Stelco entering into and completing an agreement of purchase and sale pursuant to which Stelco conveys to the ALC the lands referred to municipally as 860 Burlington Street East, Hamilton, the parcels outlined in red on the sketch attached hereto.

5. Stelco Release

Completion of the sale by the City is conditional upon:

(a) Stelco releasing the City in a form, and upon terms satisfactory to the City, from any obligation or agreement between Stelco and the City under which the City had previously agreed to sell the land to Stelco;

(b) the City and Stelco entering into a written amending agreement to modify the terms of the Industrial Drive Land Exchange Agreement to take into account the sale of the land from the City to ALC.

6. Declaration of Possession

The City of Hamilton will deliver to the Purchaser, on or before closing, a statutory declaration on behalf of the City of Hamilton (in the Dye & Durham Form No. 129 (revised February, 1991) format) amended as required to apply to the transfer from the City to the Purchaser, in a form reasonably satisfactory to the Purchaser and its solicitors, providing evidence that the City of Hamilton has been in exclusive possession of Part 1 on 62R-5666 (except to the extent that Stelco occupied the lands) since its acquisition.

7. Simultaneous Conveyances

The ALC will exercise its best efforts to establish a closing time of 1:00 p.m. at the Hamilton Registry Office to complete its purchases from Stelco Inc. and Ontario Hydro. The City of Hamilton undertakes its best efforts to attend at the Hamilton Registry Office at 1:00 p.m. on the day of closing to complete its transfer to the ALC. It being the mutual intention that, so far as possible, ALC will complete its purchases from the City of Hamilton, Stelco Inc. and Ontario Hydro simultaneously.

8. Authorizing Bylaw

On closing the City will deliver a certified true copy of the Council's Resolution and confirming Bylaw authorizing the sale of 125 Birmingham Street, Hamilton to the ALC.

9. GST Wash

(a) The Vendor and the Purchaser warrant, each to the other, that, in accordance with Section 221 (2)(b) of the GST Tax Act,

(i) that both parties are registered under Subdivision d, the Vendor's GST Registration Number is #122 666 373 and the Purchaser's GST Number is R100767532; and,

(ii) that the property being acquired is not a supply of residential complex made to an individual;

(b) The Purchaser hereby certifies to the Vendor that the Purchaser is a registrant for purposes of Goods and Services Tax ("GST") pursuant to the Excise Tax Act (Canada) (the "Act"), as amended from time to time, under No. R100767532 and is entitled not to be required to pay GST to the Vendor on this transaction by virtue of section 221 (2)(b) of the Excise Tax Act (Canada). The Purchaser's GST registration has not been varied or revoked.

(c) It is therefore agreed in respect of the purchase and sale of this property, that the Vendor is exempt from the duty to collect from the Purchaser and remit to Revenue Canada any Goods and Services Tax;

(d) The Purchaser (ALC) covenants to the Vendor

(i) to complete and sign GST Form 60 and to file Form GST 60 and remit within the time period stipulated in the Act all GST, if any, payable in respect of the above-noted transaction, in accordance with section 228(4) of the Act; and

(ii) to indemnify and save harmless the Vendor as to any GST liability, penalty, interest or other amount for which the Vendor may become liable as a result of not having collected GST from the Purchaser on the closing of this transaction.

10. Environmental - Phase II

(a) Completion of this agreement by the Purchaser is conditional upon the Purchaser receiving a satisfactory Phase II Environmental Site Assessment audit report and a satisfactory Geotechnical Audit (which will include soil stability assessments, settlement analysis and pile driving analysis) to be performed by Trow Consulting Engineers, 428 Millen Road, Stoney Creek, Ontario, which assessment and audit are to be conducted in accordance with the requirements of the current Canadian Standards Association and the requirements of the Canadian Mortgage and Housing Corporation (hereinafter referred to as "environmental audit").

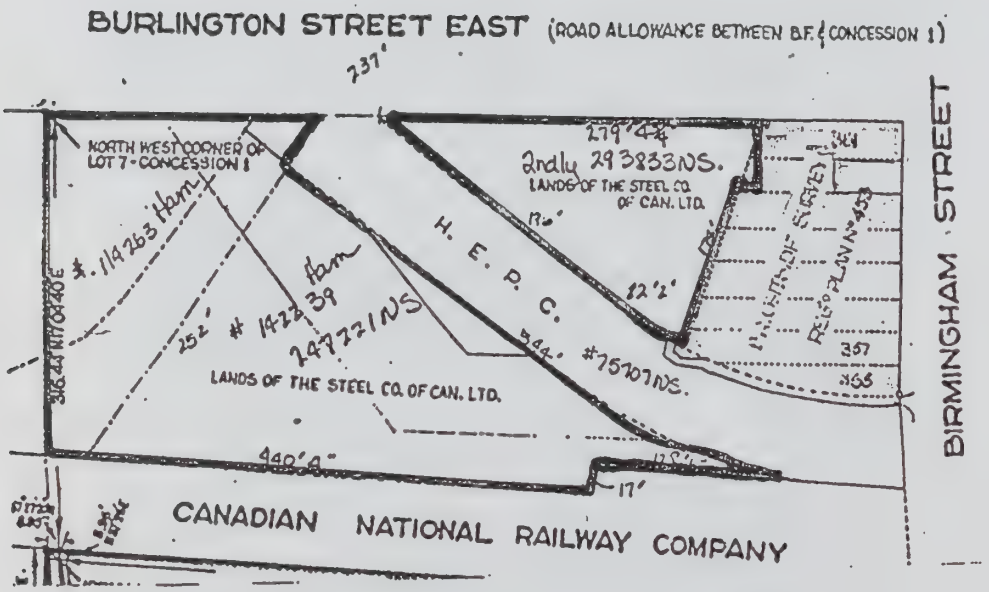
(b) If ALC, in its sole and subjective discretion, does not receive a satisfactory environmental audit then it may terminate this agreement by written notice to the City.

(c) In that event the City may, at its sole discretion, request a copy of the audit for its own use provided that the City reimburses ALC for one-half of the cost of the audit.

(d) The City authorizes ALC and its agents to enter upon the lands to conduct the environmental audit. ALC acknowledges that it will conduct its audit at its sole expense, at its sole risk and in compliance with all health and safety and related laws and regulations. ALC undertakes to treat all information contained in the environmental audit strictly confidential and

to be disclosed to others on a need-to-know basis only and on condition that those receiving information shall keep it strictly confidential. ALC hereby agrees to indemnify and save harmless the City from and against any liability imposed by law and from and against all actions, interests, claims, demands, costs, damages and expenses, whether direct or indirect, which the City may sustain or incur in connection with ALC or its agent entering upon the City's land.

(e) The City authorizes ALC and its surveyors to enter upon the lands to conduct such surveying work as it sees fit. ALC acknowledges that it will conduct its surveying work at its sole expense, at its sole risk and in compliance with all safety laws and regulations. ALC hereby agrees to indemnify and save harmless the City from and against any liability imposed by law and from and against all damages, interests, claims, demands, costs and expenses, whether direct or indirect, which the City may sustain or incur in connection with ALC and its surveyors entering upon the City's lands.



This sketch is included only for the purposes of identifying the Ontario Hydro and Stelco Inc. lands which are to be purchased at the same time that CLA purchases the City's lands. The City's lands are shown outlined in orange only for the purposes of showing the location of those lands in relation to the Stelco Inc. and Ontario Hydro lands. The lands to be conveyed are the lands designated as Part 1 on 62R-5666.

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 23

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: A.M.O. Conference - 1997 August 24 - 27 - Toronto

RECOMMENDATION:

That the Mayor, Chairman of the Finance and Administration Committee and five Aldermen be authorized to attend the 1997 Annual Conference of the Association of Municipalities of Ontario being held 1997 August 24 to 27 in Toronto.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the Legislative Travel Account

BACKGROUND:

The City of Hamilton is alloted seven voting delegates for the upcoming A.M.O. Conference.

The Preliminary Program is attached herewith for information.



Association of
Municipalities of Ontario
Annual Conference
August 24-27, 1997
Royal York Hotel

Preliminary Program

president's message

The next twelve months will be a time of tumultuous change in the municipal sector. New municipal boundaries, new legislative powers, a new assessment system and new service delivery and funding responsibilities will combine to make 1998 a "New Reality" for municipalities in the Province of Ontario.

This year's conference is designed to explore that new reality - to provide municipal councillors and staff with opportunities to learn about the many changes that will affect them in the coming year, and to hear practical advice on how to manage these changes in their communities. The focus will be on providing you with information you can take back and apply directly to the management of your municipality, to help you to successfully meet new challenges and take advantage of new opportunities.

We're also making sure that you get full value for your conference dollar, by offering a wider range of registration options, and by making audio tapes of all working sessions available for purchase, to make sure you don't miss out on any of the action. As always, there will be plenty of opportunities to renew old acquaintances and discuss common issues with your counterparts from across the province.

So join us for an informative and enjoyable conference. We look forward to seeing you in Toronto!

Terry Mundell
President

why you should attend



Monday Keynote Speaker

Diane Francis, Editor of the Financial Post

One of the most respected and influential voices in Canadian journalism, Diane Francis is a straight-from-the-hip commentator on the prevailing political and economic currents shaping Canada today. The writer of 15 different columns for the Financial Post, The Sun, and MacLean's Magazine, and the author of four best-selling books on business, Francis will kick off the conference with her own unique perspective on the challenges facing Ontario's municipalities in the "New Reality".

Topical Plenaries and Workshops

This year's plenaries and workshops focus on the many changes in roles and responsibilities that will face municipalities in 1998. The emphasis is on practical, hands-on tips that will help you to manage your municipality in a time of tremendous change. In response to popular demand, some of this year's workshops are being offered in two time slots to give delegates more of an opportunity to attend all of the sessions they wish to attend. We will also be offering for purchase audio tapes of each of the conference sessions.

Meetings with Provincial Ministers

We have once again asked the Province to make arrangements for one-on-one meetings with Provincial Cabinet Ministers to discuss local issues. Look for details in your conference kit.

Entertainment

On Sunday night, delegates will have an opportunity to ease into the conference and renew old acquaintances at a wine and cheese reception, to be held in the Royal York's elegant Concert Hall.

On Tuesday evening following the annual banquet, delegates can sit back and enjoy an evening of comedy delivered by some of the finest stand-up comedians in the country, as we bring the Yuk Yuk's Comedy Club to you live at the Royal York Hotel.

conference program

SUNDAY, AUGUST 24TH

2:00 p.m. - 9:00 p.m.
Registration

8:00 p.m. - 10:00 p.m.
Wine and Cheese Reception

MONDAY, AUGUST 25TH

7:30 a.m. - 5:00 p.m.
Registration

8:30 a.m. - 9:15 a.m.
Plenary Session
Association Annual Meeting
- **Annual Report**
- **Presentation of Financial Statements**
- **Nominations for Election to the Board of Directors**

9:15 a.m. - 10:00 a.m.
Keynote Address
- **Diane Francis**

The changes affecting Ontario's municipal sector are symptomatic of the changes that are sweeping the country. Diane Francis, well known author, editor, and business guru, will inform and entertain you with her own unique perspective on the challenges facing Ontario's municipalities in the "New Reality".

10:00 a.m. - 10:30 a.m.
Coffee Break

10:30 a.m. - 12:00 noon
Concurrent Workshops

Restructuring - The Current Lexicon of Municipal Government
- **The Locally Driven Model**
- **The Mediated Model**
- **The Commissions Model**

Most municipalities in Ontario have either gone through a restructuring process or are contemplating some form of change to shape the future of their communities. Three concurrent workshops will focus on the practical realities of restructuring using case studies from across the province. The case studies will reflect restructuring through a locally driven process, a mediated process and through a commission process. Delegates will walk away with information on how matters such as representation, financial considerations and labour force integration were handled as well as ideas on how to "heal" relationships that may have been damaged during the process.

12:00 noon - 2:00 p.m.
Lunch
- **Al Leach, Minister of Municipal Affairs and Housing**

(Luncheon Speaker)

2:00 p.m. - 2:30 p.m.
Break

2:30 p.m. - 4:30 p.m.
Resolutions

Special Session for Municipal Administrators
(Concurrent with Resolutions Session)

Survival Techniques in Times of Tremendous Change

The municipal sector has experienced a very dramatic decline in provincial funding. Dealing with these funding reductions is now coinciding with new service and funding responsibilities. The governance related to service provision is changing. There are more than eight new pieces of legislation affecting municipalities and more on the way. Municipal restructuring brings its own challenges. How can municipal administration cope with this amount of change? What are the priorities? Join us for some tips on how to survive during times of tremendous change.

TUESDAY, AUGUST 26TH

8:00 a.m. - 12 noon
Registration

8:30 a.m. - 10:00 a.m.
Concurrent Workshops

- **The Future of Policing as We Know It**
  The Province has made it clear that in 1998, all municipalities will be responsible for providing police services in their communities. Looking through the eyes of those who are currently providing police services and drawing upon experts in the field, this session will get down to the basics about all the options that are available, including setting up your own police force, contracting with the OPP, and purchasing services from a neighbouring municipality. If you're interested in walking away with a better understanding of what option might best suit your municipality, then don't miss this informative workshop.

- **Preparing Ontario's Social Assistance System for the Next Century**
  Ontario is in the process of transforming current social assistance programs into the Ontario Works Program and a separate income support program for persons with disabilities. The Province, in partnership with Anderson Consulting, has embarked on a business transformation project to support the transition to Ontario's new social assistance programs. During this session, delegates will be provided with an overview of the Transformation Project, which will apply new technology and business processes to social assistance delivery in an effort to achieve greater efficiency and cost savings.

- **Seeing Beyond the Changes: Opportunities in the Municipal Workforce**
  Municipal restructuring, the Who Does What changes and new opportunities for alternate service delivery will have a huge impact on labour relations and the municipal workforce. What are the options, opportunities and challenges that councils will have to confront in the new municipal environment? What can you learn from others who have managed labour relations in times of change? This session will examine both the opportunities and pitfalls presented by the new municipal environment.

- **Coping with Change in Northern Ontario**
  With a much different economic base than other parts of Ontario, how will northern municipalities deal with the changes to their responsibilities? How can northern communities move to a more sustainable economic situation with less provincial financial support? What will this mean for the way northern municipal government works? This session will focus on the future of the Great White North in this up-to-the-minute session on municipal affairs North of 46.

- **Arming Yourself for the New Reality - AMO's Municom Network**
  As municipalities face the challenges and opportunities arising from the Who Does What process and other reforms, they will need new tools to assist them in their analysis and decision-making processes. This workshop will provide participants with real examples of how the Municom Network serves as a vital information tool for municipal decision makers. Access to current and accurate information has never been more important. See how Ontario's municipal intranet can provide you with the information you need to prosper in the New Reality.

10:00 a.m. - 10:30 a.m.
Coffee Break

10:30 a.m. - 12:00 noon
Concurrent Workshops

- **Ask the Experts: Toward a Better Understanding of Ambulance Services**
  With the transfer of land ambulance services to municipalities on January 1, 1998, come many questions and issues around how municipalities will mange this new function. Experts in the field of ambulance services will help facilitate a discussion of the tough issues that need to be addressed, such as what services must be provided, the available delivery options, and opportunities for integration with other emergency services and cost recovery.

- **A Primer on Social Housing**
  What is the role of social housing in Ontario? How does Ontario's social housing system work? What is the difference between non-profit housing and Ontario Housing? This session will provide an overview of Ontario's social housing system, including a discussion of how social housing is currently funded and administered. The session will also discuss what the recent Provincial announcements mean in terms of the potential municipal role in social housing.

- **Assessment Base Management - The Hidden Revenue in Your Property Taxes**
  Property Taxes are the "bread and butter" of municipal governments representing the most

crucial revenue source to a municipality. But if properties have been under-assessed or assessment ratios have not been properly balanced, the municipality coud be losing important revenue.

Led by experts from Municipal Tax Equity Consultants Inc., this LAS sponsored workshop will show how assessment base management can provide your municipality with more revenue from property taxes without the need to increase tax rates, and how provincial tax reform policies translate into modelling the proper tax ratios across the 6 property tax classes.

- **The Future of Policing as We Know It**
  (Repeat of 8:30 session)

- **Seeing Beyond the Changes: Opportunities in the Municipal Workforce**
  (Repeat of 8:30 session)

12:00 noon - 2:00 p.m.
Elections

Lunch *(on your own)*

2:00 p.m. - 3:00 p.m.
Plenary

- **Toward a New Municipal Act - An Essential Component of the New Reality**
  In the near future, the Government will be introducing a new Municipal Act. Its legislative framework is to be based on "natural person powers", governmental powers and areas of authority. What does this framework mean, and how will it impact Councils' responsibilities for managing the affairs of their municipalities? What changes will it bring to the relationship with the Province? This plenary session will answer these and other questions as well as examine some specific provisions of the new Act.

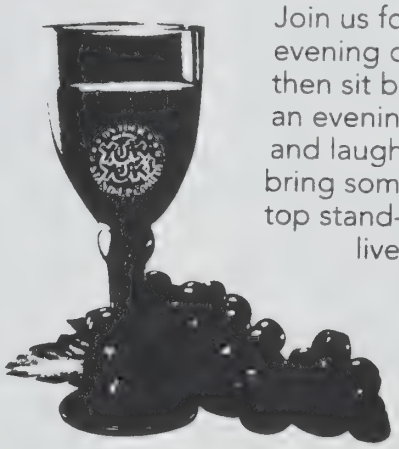
3:00 p.m. - 3:30 p.m.
Coffee Break

3:30 p.m. - 4:30 p.m.
Plenary

- **Ministers' Forum - The New Provincial-Municipal Relationship**
  Changes to legislation, funding and service delivery responsibilities are combining to create a new relationship between Provincial Ministries and municipalities. This session will provide delegates with an opportunity to discuss this new relationship and other matters with key Provincial Ministers.

6:30 p.m.
Reception *(Cash Bar)*

7:30 p.m.
Annual Banquet



Join us for an elegant evening of fine dining, then sit back and enjoy an evening of fun and laughter as we bring some of Canada's top stand-up comedians live to your table-side.

WEDNESDAY, AUGUST 27TH

8:00 a.m. - 9:00 a.m.
Registration

8:00 a.m. - 9:00 a.m.
Continental Breakfast

9:00 a.m. - 9:15 a.m.
Plenary
- **Address by the Incoming AMO President**

9:15 a.m. - 10:00 a.m.
Plenary
- **Address by the Honourable Mike Harris, Premier of Ontario (Invited)**

10:00 a.m. - 11:30 a.m.
Plenary
- **Property Assessment - The Other Side of the Ledger**
  The expenditure side of the ledger is becoming much clearer, but what of the revenue side? What is the new property taxation system? What do municipalities need to do to prepare for it? What kinds of impacts might be expected, and how can they be mitigated? These and other questions will be explored as municipalities, in this time of tremendous change, look forward to an equitable, fair and sustainable assessment and property tax system.

11:30 a.m.
Adjournment

registration information

Full delegate registration fee includes:

- admission to all sessions
- Welcome Reception
- Monday luncheon
- Annual Banquet and entertainment

Companion registration fee includes:

- admission to all sessions
- Welcome Reception
- Monday Luncheon
- Annual Banquet and entertainment

Extra Banquet tickets will be available at an additional cost of $65.00. Please refer to the registration form and indicate the number of extra tickets required. Payment for extra banquet tickets must accompany the registration form.

Please note: Banquet seating is limited and will be sold on a first-come, first-served basis. Banquet tickets will only be sold on-site if space is available.

Payment

Please complete the registration form, pay by VISA or enclose a cheque payable to the **Association of Municipalities of Ontario** and mail to:

AMO Annual Conference
Association of Municipalities of Ontario
Suite 1701, 393 University Avenue
Toronto, ON M5G 1E6

Telephone: Ms Gwen Rideout
(416) 971-9856 ext. 330

Please note that registration forms will not be processed unless accompanied by proper payment. Only registrations being paid by VISA credit card may be faxed to (416) 971-9372.

Confirmation of Registration

Confirmation of your registration will be sent to you provided that your completed registration form and proper payment have been received in the AMO office by August 8, 1997.

Cancellations

Cancellations must be requested in writing and received by the AMO office by July 31, 1997. After July 31, 1997, no requests for refunds will be accepted. Cancellation by telephone will not be accepted. An administration fee of $53.50 (50.00 + GST) will apply to all refunds.

Hotel Accommodation

To book accommodations at the Royal York Hotel, either telephone the hotel or complete the Hotel Accommodation form and fax or mail it to the hotel. If you use the hotel form you will receive a confirmation of reservation by mail within two weeks. Any inquiries regarding your reservations are to be made directly with the Royal York Hotel reservation office at (416) 863-6333 or 1-800-441-1414.

BOOK NOW

To avoid disappointment, book your accommodation prior to July 31, 1997
AFTER JULY 31, 1997, reservations at the AMO special rate will be subject to availability.

Air Canada Offers 35% off Economy Airfare



Fly to AMO's Annual Conference on Air Canada and save 35% on the cost of full economy airfare. Tickets must be purchased seven days in advance. Minimum stay is two nights. Fares are refundable, less a $75 cancellation fee, and changes can be made for $75 after ticketed. You can book your flight directly with Air Canada. Phone toll-free 1-800-361-7588 and quote the convention # CV972542, or contact your local travel agent.

Audio Tapes



Can't attend all the sessions that are of interest to you, but still want to capture the information presented? Or perhaps you would like to share what you heard with your colleagues. If so, take advantage of our audio taping service. You will be able to purchase tapes of all working sessions approximately 20 minutes after the session concludes. Visit the Audio Archives desk at the conference for ordering information.

Early Bird

(postmarked prior to and including July 4, 1997)

MEMBER	Full Registration	$321.00 (300.00 + GST)
	Registration Excluding Banquet	$267.50 (250.00 + GST)
	One Day Registration - MONDAY	$160.50 (150.00 + GST)
	One Day Registration - TUESDAY	$160.50 (150.00 + GST)
	Half-Day Registration - WEDNESDAY	$ 80.25 (75.00 + GST)
	Companion	$123.05 (115.00 + GST)
NON-MEMBER	Full Registration	$390.55 (365.00 + GST)
	Registration Excluding Banquet	$337.05 (315.00 + GST)
	One Day Registration - MONDAY	$197.95 (185.00 + GST)
	One Day Registration - TUESDAY	$197.95 (185.00 + GST)
	Half-Day Registration - WEDNESDAY	$101.65 (95.00 + GST)
	Companion	$155.15 (145.00 + GST)

Regular

(postmarked after July 4, 1997, up to and including August 8, 1997)

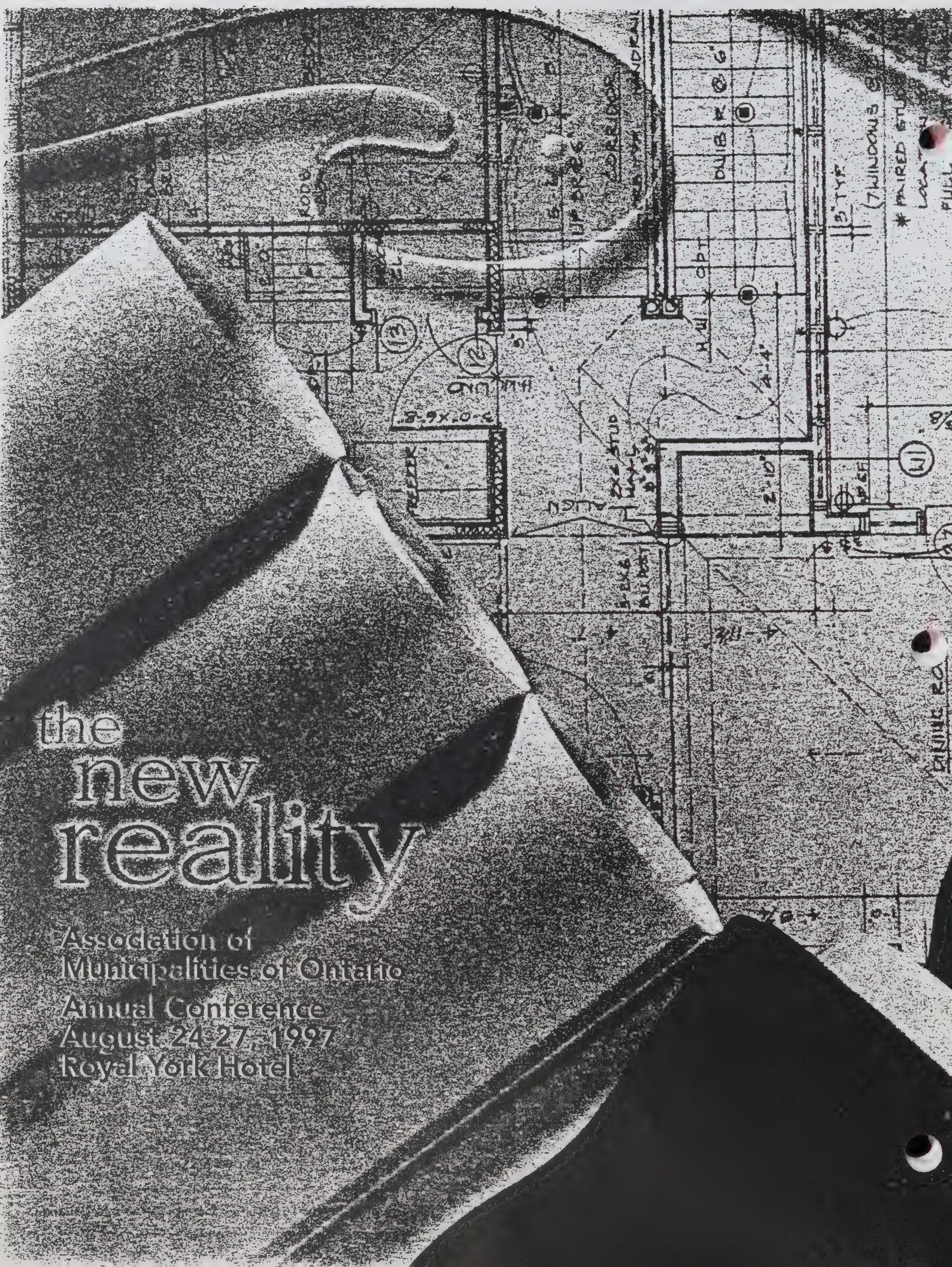
MEMBER	Full Registration	$358.45 (335.00 + GST)
	Registration Excluding Banquet	$304.95 (285.00 + GST)
	One Day Registration - MONDAY	$181.90 (170.00 + GST)
	One Day Registration - TUESDAY	$181.90 (170.00 + GST)
	Half-Day Registration - WEDNESDAY	$ 80.25 (75.00 + GST)
	Companion	$139.10 (130.00 + GST)
NON-MEMBER	Full Registration	$428.00 (400.00 + GST)
	Registration Excluding Banquet	$374.50 (350.00 + GST)
	One Day Registration - MONDAY	$214.00 (200.00 + GST)
	One Day Registration - TUESDAY	$214.00 (200.00 + GST)
	Half-Day Registration - WEDNESDAY	$101.65 (95.00 + GST)
	Companion	$171.20 (160.00 + GST)

On-site Registration

(August 24, 1997)

MEMBER	Full Registration	$428.00 (400.00 + GST)
	Registration Excluding Banquet	$374.50 (350.00 + GST)
	One Day Registration - MONDAY	$214.00 (200.00 + GST)
	One Day Registration - TUESDAY	$214.00 (200.00 + GST)
	Half-Day Registration - WEDNESDAY	$ 80.25 (75.00 + GST)
	Companion	$165.85 (155.00 + GST)
NON-MEMBER	Full Registration	$524.30 (490.00 + GST)
	Registration Excluding Banquet	$470.80 (440.00 + GST)
	One Day Registration - MONDAY	$267.50 (250.00 + GST)
	One Day Registration - TUESDAY	$267.50 (250.00 + GST)
	Half-Day Registration - WEDNESDAY	$101.65 (95.00 + GST)
	Companion	$203.30 (190.00 + GST)

Registration forms will be accepted until August 8, 1997. After that date all registrations must be on-site.



the new reality

Association of Municipalities of Ontario
Annual Conference
August 24-27, 1997
Royal York Hotel

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 June 26

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Capital Project # 63 Replacement of Computerized Fuel Control System. (PW 96.0302)

RECOMMENDATION:

That a purchase order be issued to Alternate Solutions, Hamilton, in the amount of $108,050. plus all applicable taxes, for the replacement of the computerized fuel control system, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender and be financed through the 1997 Capital Account CF 649751022.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: D. Lobo

This acquisition is for the replacement of the existing computerized fuel control system, as approved by City Council on March 18, 1997 at an estimated cost of $174,000.00

BACKGROUND: Tender Analysis

Alternate Solutions, Hamilton	$ 108,050.
Wayne Dresser, Toronto	141,370.
Serv-A-Station, Dundas	162,689.
Penny & Casson, Scarborough	181,390.
Multiforce, New Jersey	328,351.

This tender was advertised and five vendors responded. The Fuel Management Information System Project Team consisted of staff from Fleet Services, Information Systems and Purchasing. The team evaluated and scored the bids based on the following criteria; operational requirements, technical requirements, functional requirements and site visits to evaluate existing systems.

The scoring system awarded the following percentages:

Multiforce	95%
Alternate Solutions	79%
Penny & Casson	77%
Serv-A-Station	71%
Wayne Dresser	66%

Based on all the evaluating criteria, including cost the Alternate Solution bid is the best total acquisition cost.

cg\dl

cc. C. Guthro, Manager of Fleet Services, Public Works
L. Barker, Project Team Co-ordinator, Fleet Services
A. Ross, Treasurer
J. Hindson, Director of Information Systems

D.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 June 26th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - A.M.O. - Overview of recent issues - letter dated 1997 May 21st

(b) Report - Commissioner of Public Works and Traffic to the Transport and Environment Committee - Increased Cost for a Local Improvement Project - Dulgaren Street from Upper Sherman Avenue to approximately 72m easterly - finished roadway and curbs - report dated 1997 June 10th

(c) Memorandum - F.C.M. - 1997 Policy Development Book - dated 1997 May 15th

(d) Correspondence - Assistant Deputy Fire Chief - Thermal Imaging Camera - letter dated 1997 May 15th

(e) Information Report - Director of Information Systems - Information Systems Department Quarterly Report as at 1997 March 31st - report dated 1997 June 16th

(f) Information Report - Commissioner of Public Works and Traffic and the Director of Culture and Recreation - Chedoke Golf Course - report dated 1997 June 24th

(g) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1997 May 31st - report dated 1997 June 12th

(h) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1997 May 31st - report dated 1997 June 12th

(i) Information Report - Treasurer - Status of Unclassied Revenue and Expenditures as at 1997 April 30 - report dated 1997 May 16th

(j) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1997 April 30 - report dated 1997 May 16th

(k) Information Report - Commissioner of Human Resources - Appointments to and Terminations from permanent position with the Corporation of the City of Hamilton prepared 1997 June 20th - report dated 1997 June 23rd

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
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C51F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF SPECIAL MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL
JUL 18 1997
GOVERNMENT DOCUMENTS

Tuesday, 1997 July 8
6:00 o'clock p.m.
Room 233, City Hall

for **Tina Agnello, Acting Secretary**
Finance and Administration Committee

AGENDA

1. **ANTI LOITTERING BY-LAW**

   Chief R. Middaugh, Hamilton Wentworth Regional Police. (no copy)

2. **CONFIDENTIAL AGENDA**

3. **ADJOURNMENT**

DINNER TO BE PROVIDED IN RM. 264 AT 5:30PM

URBAN/MUNICIPAL
CA4 ON HBL A05
C 51F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

Tuesday, 1997 August 19
1:30 o'clock p.m.
Room 233, City Hall

AUG 18 1997

GOVERNMENT DOCUMENTS

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

A. **DELEGATION**

Wearing of the Green Committee - Relocation of the Irish Monument from Gage Park to City Hall

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **ALDERMEN R. CHARTERS, D. ROSS AND T. ANDERSON AD HOC COMMITTEE**

100 Locke Street South

4. **CHIEF ADMINISTRATIVE OFFICER**

(a) United Way - Loaned Representative

(b) Vision and Mission Statement for Downtown

5. **TREASURER**

(a) Presentation - Update - Current Value Assessment

(b) Financial and other Non-Departmental Budgets Quarterly Report as at 1997 June 30th

(c) Corporate Overview of the 1997 June 30th Quarterly Reports (copy to follow)

(d) Excess or Surplus Capital Financing during 1997 and Outstanding Capital Grant Requests

(e) Corporate Financial and Human Resource Systems - Year 2000 Compliance

(f) Business Tax accounts assigned to the Bailiffs for collection

(g) Information Report - Realty and Business Tax Arrears and Collection Procedures

6. **REFERRALS FROM OTHER COMMITTEES**

Financing of the boarding up on 127 Burton Avenue

7. **CITY CLERK**

1997 Municipal Election - By-laws - to submit a question to the electors; to authorize advanced voting

8. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

(a) Staffing - Parks Maintenance Section

(b) Purchase of maintenance equipment for the Lincoln M. Alexander Parkway (copy to follow)

9. **CORRESPONDENCE**

(a) Hamilton Public Library Board - Changes to the Provincial Libraries Act, and recommendations for the structure of the Hamilton Public Library Board

(b) Planning and Engineering Initiatives Ltd. - request for refund of 5% Land Dedication Fee for 771 Limeridge Road East, Comley Elementary School which does not meet the criteria established by Council policy

(i) Information Report - Building Commissioner (copy to follow)

10. **BUILDING COMMISSIONER**

5% Land Dedication - Ridgeview Estates Phase 3 - Lots 1 - 14

11. **REFERRAL FROM CITY COUNCIL**

Correspondence - Regional Chairman, Hamilton Wentworth Region - Open Letter to Ontario Municipal Leaders

12. **DIRECTOR OF CULTURE AND RECREATION**

Natural Gas Buy/Sell Agreement

13. **CITY SOLICITOR**

The Control and Licensing of Dogs

14. **OTHER BUSINESS**

15. **ADJOURNMENT**

A.

July 22, 1997

Mr. J. Schatz
City Clerk
City Of Hamilton
71 Main St. W.
Hamilton, Ontario

RE: Relocation Of The Irish Monument from Gage Park to City Hall

Dear Mr. Schatz,

On March 17, 1997, as per the attached photo, we dedicated in Gage Park, a monument to all the Irish who settled in Hamilton, as a Bi-Centennial Project. In the ensuing 30 day period, it was vandalized three times, resulting in it being pushed completely over. This monument is sponsored by Heritage Canada, The Ulster Canadian Club, The Irish Canadian Club, and our Committee at an approximate cost of $5000.00, including the concrete foundation, and subsequent repairs. After due consideration, and consultation with the Regional Police patrolling Gage Park, it was concluded that to re-install it in Gage Park would result in its' demise.

At a meeting yesterday with Mayor Morrow and Terry Whitehead, His Worship concurred, and instructed us, to submit to you, our request to relocate this monument to the West Side of City Hall, at the City's expense. We are donating to the City the foundation at Gage Park, and the expense of a new foundation is $885.00, plus G.S.T., as per the attached Quotation from Beatty-Hall.

Our choices of sites, on the North-West Side of City Hall, are the centre of the grassy area immediately West of the Flag Pole, or the centre of the grassy plot immediately South of the Ontario Professional Engineers Time Capsule.

The monument is presently in storage at the Catholic Cemeteries premises, under the supervision of Mr. John O'Brien, whose staff will re-install it at the new location, when the foundation is ready, at our expense.

Please contact me at 527-4700, if there is any other information you require.

Respectfully,

Bill Gardner

Bill Gardner, Co-Chairman

cc: Mayor Morrow, T. Whitehead, J. Pavelka - City Of Hamilton
E. Cummings

"Copy sent to A. Ross, Treasurer - 1997 July 24"

WEARING OF THE GREEN COMMITTEE
P.O. BOX 7069, HAMILTON L8V 3P8

BEATTY-HALL
Construction Co Limited

Established 1950
Industrial. Commercial
Institutional

June 25, 1997.

"WEARING OF THE GREEN COMMITTEE"
c/o Mr. William Gardner,
239 Hughson Street North,
HAMILTON, Ontario. L8L 4M4

Dear Mr. Gardner:

We are pleased to quote you a firm sum in the amount of **$885.00, plus G.S.T.**, to construct one concrete foundation identical to the one we installed for you in Gage Park.

We understand this will now be installed at City Hall and have assumed we will have adequate soil conditions. at 4'-0" below existing grade. All locates and layout will be by others.

We thank you for the opportunity of submitting this quotation and assure you of our complete co-operation at all times and remain,

Yours very truly,

BEATTY-HALL CONSTRUCTION CO. LIMITED

PER: Mark W Hall.

Mark W. Hall, C.E.T.,
Vice-President.

MWH/rg

75 Leland Street, Hamilton, Ontario L8S 3A1 Tel. (905) 522-4631 Fax (905) 527-9011



March 17, 1997

Irish Monument Dedication

Senator J. O'Toole
Republic of Ireland

Ms. Sheila Copps
Minister of Heritage
Canada, Deputy Prime Minist

J. [illegible]ons - Irish Canadian Club
B Clarke - Ulster "
B. Gardner - Wearing of the Green

3.

CITY OF HAMILTON

- RECOMMENDATION -

AUG 11 1997

DATE: 1997 August 5

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Aldermen R. Charters, D. Ross, and T. Anderson
Ad Hoc Committee

SUBJECT: 100 Locke Street South (97.4.12.A, 97.2.4.2.1.A)

RECOMMENDATION:

(a) That after hearing the evidence and submission of the complainants, Humana House and the Good Shepherd Non-Profit Housing Corporation Inc, the Council of the City of Hamilton hereby confirms the development charges imposed on the property at 100 Locke Street South as being properly imposed pursuant to City of Hamilton Development Charges By-law 95-176; and,

(b) That the City of Hamilton provide a grant in lieu of the City's portion of the outstanding realty taxes on 100 Locke Street South to the Good Shepherd Non-Profit Housing Corporation Inc., subject to the following conditions:

i) That the Region of Hamilton-Wentworth agree to write-off the Region's portion of the outstanding taxes; and,

ii) That the Hamilton Board of Education agree to write-off the Board's portion of the outstanding taxes; and,

iii) That the grant not be released for payment of the taxes until the existing mortgage on title is discharged; and,

(c) That the City Clerk be authorized and directed to send a formal request to both the Region and the Hamilton Board of Education requesting them to consider forgiveness of their respective portions of the outstanding realty taxes; and,

(d) That the City Treasurer be authorized and directed to recommend a method of financing for the City's portion of the taxes.

.../2

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City's portion of the outstanding realty taxes of $98,243.98 is $24,595.97. These taxes will likely not be collected, however, a tax certificate is already registered against the property and in 1998 January, the City will be in a position to assume ownership and write-off all the taxes.

BACKGROUND:

Late in 1996, the Good Shepherd Non-Profit Housing Corporation Inc. approached the City of Hamilton to ask relief from payment of the development charges on 100 Locke Street South. It is proposed by the group to build a fifteen unit multiple dwelling on the site which will provide housing for individuals and families who are eligible for social housing and meet the requirements of the Ministry of Health's criteria for Long Term Care Program. A brief explanation of the proposal is attached as Schedule A, which was prepared by the applicant.

The subject property is located on Locke Street South at Canada and Jackson Street West. The site was previously occupied by an automobile service garage and the soil on the site is heavily contaminated. Due to the site conditions, the owner has not been able to sell or develop the property and the realty taxes are in arrears. In 1997 January, the City registered a tax certificate on the property. If during the next year the outstanding taxes of $98,243.98 are not paid, ownership of the property will go to the City.

With the current economic conditions, it is unlikely that the back taxes will be paid. There is a first mortgage of approximately $140,000 on the property and the remedial clean-up of the site has been estimated at between $125,000 to $250,000. The appraised value of the property after the contaminated soil is removed is $125,000. The applicant has advised that the mortgage holder is willing to write-off the mortgage.

At the Finance and Administration meeting of 1997 January 21, the applicant appeared requesting that the City write-off the outstanding taxes and exempt them from payment of the development charges. The Finance and Administration Committee requested that the applicant pursue City owned land in the downtown core to see if any suitable land was available. On 1997 February 18, the applicant returned to the Finance and Administration committee to report that the only available lands were held by the Hamilton Parking Authority and were not yet declared surplus to the City.

This matter was subsequently referred to a meeting of Aldermen Charters, Ross, and Anderson together with the applicants and staff. At that meeting, the recommendations in this report were negotiated.

Since the meeting of the Ad Hoc Subcommittee, a meeting was held with the ward alderman, Marvin Caplan, the two public school trustees, the applicant, and staff of both the City and Hamilton Board of Education. The Board of Education trustees for Ward 2 were receptive to the proposal and will assist the applicant in approaching the Board of Education for a grant to offset the Board's portion of the taxes.

It is expected that if the City can assist the applicant by issuing a grant to pay the City taxes and can encourage the Region and Hamilton Board of Education to do the same, then the subject lands will be decontaminated and approximately $20,000 per year in taxes will be collected.

cc Allan C. Ross, Treasurer
Peter C. Lampman, P. Eng. Building Department

CITY OF HAMILTON

- RECOMMENDATION -

4. (a.)

DATE: 1997 August 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: **United Way - Loaned Representatives**

RECOMMENDATION:

That the City of Hamilton reaffirm its participation in the United Way by participating in the Loaned Representative Program by providing a City employee to work on a full time basis on the annual fund raising campaign.

J.G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The financial obligation of the Corporation is approximately 13 weeks of an employee's salary, a cost of approximately $12,000, plus benefits. In addition in 1996 City Council approved an allowance of $1,000 for travelling expenses.

BACKGROUND:

Each year, the United Way approaches the City of Hamilton, along with other Corporations in the community, to recruit employees to participate in the Loaned Representative Program.

This year with the downsizing in the Corporation, the Department scheduled to provide the representative is heavily pressed with the normal work load and is not able to commit to provide an employee for 12 - 13 weeks.

Last year and in previous years, when the City did participate the additional workload not carried out by the seconded employee was partially assumed by hiring either temporary staff and/or students.

The City of Hamilton has actively participated in the Loaned Representative Program since 1980 as shown by the representatives loaned on the attached list.

However, with the continual downsizing, it is felt that the City should have the opportunity of reconsidering this matter.

/2 ...

DISCUSSION:

Each year organizations in the community are presented with a unique opportunity to support the United Way of Burlington, Hamilton-Wentworth by participating in the Loaned Representative Program.

Organizations such as the City of Hamilton supporting the program donate employees on a full-time basis to the United Way for a period of 10-12 weeks.

Last year, organizations provided the United Way with 29 resource staff who helped provide invaluable assistance raising over 6.3 million in the 1995 fall campaign.

Clearly by participating in the Loaned Representative Program the organization benefits by the following:

1. Enhancement of the organization's public image in support of services to this community.

2. Personal development in networking, goal setting, planning, organizing, communications, teamwork and presentation skills.

3. Unique training and development which can be applied on the job.

4. An opportunity to learn more community issues, needs and services available.

Attached is a Loaned Representative Job Description outlining what the Loaned Representative is responsible for.

Over the last few years, the matter of having to pay for travelling expenses, in addition to the regular remuneration, for the employee has been problematic for each department because it has occurred mid-way through the year unexpectedly with their consent to loan one of their staff to the United Way. To date, the departments have been required to find this unanticipated expenditure within their normal travelling account.

To avoid this mild nuisance, the conclusion is to provide a separate account for the travelling expenses in a central location so that any department who has loaned their staff will not have to find funding for these expenses.

JGP:dbm
Attach's.

c.c. Allan C. Ross, Treasurer

UNITED WAY LOAN REPRESENTATIVE PROGRAM

SCHEDULE FOR CITY DEPARTMENTS

Departments	Year	Staff Representative
Traffic Department	1980	Robert Shakeshaft
Human Resources	1981	No One Available
Law Department	1982	Frank Sholdice, Engineering
Engineer's Department	1983	Frank Sholdice, Engineering
Treasury Department	1984	Doug Goodman
Fire Department	1985	Gil Desjarlais
Culture & Recreation	1986	No One Available
Public Works	1987	Rick Zbucki
Building Department	1988	Tom Redman
Purchasing Department (Not Available)	1989	John Ross, (Student, CAO)
City Clerks (Not Available)	1990	Nadine Kelly (Purchasing)
HECFI	1991	Bob Ellison
Property	1992	Debbie Rashford
Library	1993	Mary Krasilczuk
Parking Authority (Not Available)	1994	Betty Gin (Student Building)
Housing Department (Building)	1995	Christine Curto (Parking Auth.)
Planning Department	1996	Nick Hostiuc

UNITED WAY OF

BURLINGTON, HAMILTON-WENTWORTH

LOANED REPRESENTATIVE JOB DESCRIPTION

The Loaned Representative works as a member of the United Way Staff Team during the annual fund raising campaign to provide assistance to Fall United Way campaign and the United Way. During the Campaign, the Loaned Representative will provide the necessary bridge between permanent staff and the hundreds of volunteers required for an effective fund raising campaign.

Loaned Representatives are assigned to a specific division of the overall United Way Campaign Team, and are led by the United Way Division Staff Member.

Good working relations with the volunteer Account Executives, for assigned accounts, is essential for successful completion of the total Campaign goals.

ACCOUNT MANAGEMENT

Each Loaned Representative is responsible for assisting volunteers in assigned accounts in developing and implementing successful Campaigns.

- o <u>Attend Orientation and Training</u>
  - to develop an understanding of the United Way, the Campaign process, fund raising principles, organizational structure and the responsibilities of the Loaned Representative.
- o <u>Establish Relationship with Appropriate Volunteers</u>
  - Section Chairmen and Account Executives to determine current status of assigned accounts.
- o <u>Prepare Approach to Accounts</u>
  - conduct analysis of past, giving history of assigned accounts and strengths and weaknesses of previous year to determine potential and aproach for increased giving in this campaign.
- o <u>Account Planning & Objective Setting</u>
  - assist in developing Campaign plan with Employee Campaign Chairperson including development of campaign plan and strategy, recruitment, goal setting, campaign timetable, method of approach, communications, reporting analysis and recognition.

- Evaluation:

  Assess and evaluate campaigns within your accounts.

  Provide documentation for account file for use by subsequent volunteers.

TEAM EFFECTIVENESS

For a team to be successful, it must merge many personalities into one working unit. The emphasis is not on individual recognition when you're part of a team, rather it is on each member's ability to contribute to the overall goals of the team.

Each member has a responsibility to:

1) Encourage a positive and supportive environment

2) Let the team leader LEAD

3) Respect other team members

4) Be willing to try something new

5) Balance their own workload

6) Assist other team members with problem solving

7) Support other team members in exchange of skills and knowledge

8) Coordinate presentation overload on your accounts

9) Project employee money on assigned accounts

10) Be willing to take overflow presentations

11) Identify and report on successes.

STAFF RESPONSIBILITY

1) Team Effectiveness (see L/R job description)

2) Employee $ projections

3) Training on upgraded tasks

4) Schedule Loaned Representative workload

5) Second level troubleshooting

6) Develop individual objectives for each Loaned Representative

- Meets one-on-one and discuss personal goals/opportunities for skills improvement for each Loaned Representative

- Define at least 2 quantified objectives per Loaned Representative, including benchmarks for progress reviews

- Conduct progress (or objective) reviews on a regularly scheduled basis (initially every 2 weeks (1st month) then every 3 weeks (remainder)).

LOANED REPRESENTATIVES

Each year organizations in the community are presented with a unique opportunity to support the community through the United Way of Burlington, Hamilton-Wentworth. Participating in the Loaned Representative Program is a winning experience for both you and the United Way.

A Loaned Representative

- A current employee of your organization who is "loaned" to the United Way on a full-time basis for twelve weeks during the Annual Fall Campaign.
- A soon-to-be retired or recently retired employee that you sponsor as your representative.

Benefits To Your Organization... Your Employee... Our Community

- Enhancement of your organization's public image in responding to critical needs in our community.
- Personal development for the employee in networking, goal setting, planning, organizing, communications, facilitation, public speaking, and presentation skills.
- United Way costs are kept to a minimum because Loaned Representatives provide invaluable staff support critical to a successful campaign.

Required Time Commitment

- Loaned Representative training - August 28th/95 to September 1st/95
- 12 weeks beginning - September 5th/95 or September 11th/95
- Training Program Cost $250.00
  Travel Costs for Campaign: $300.00 - $500.00 (average)

Continued...

4. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J.G. Pavelka, P.Eng
Chief Administrative Officer

SUBJECT: Vision and Strategic Plan for Downtown Hamilton

RECOMMENDATION:

1. That "American Communities Partnership" be retained to co-ordinate and facilitate a Downtown Vision Workshop and undertake all necessary background research for the Workshop at a cost of $10,000 (Canadian); and,

2. That the cost of $10,000 be charged to the Downtown Hamilton Partnership, Account No. CF5698-119755029.

J.G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The contract for professional consulting services is $10,000 plus expenses associated with travel, accommodation and meals.

Both the City of Hamilton and the Region of Hamilton-Wentworth have each contributed $60,000 totalling $120,000 for efforts in the Downtown. It is understood that by drawing the $10,000 from the Downtown Partnership account, that the City and the Region will equally share in the expenditure.

BACKGROUND:

Stemming from the report "Strong Medicine... A Prescription for the Heart of Hamilton-Wentworth", City Council, on January 28, 1997, approved the creation of the Downtown Hamilton Partnership. One of the key objectives of the Partnership is to increase the number of people living, working, and shopping in Downtown. In addition, an important role of the Partnership is to provide an overall strategic framework for the various revitalization efforts presently underway and to establish a consensus Vision on future plans for Downtown Hamilton.

DISCUSSION:

A number of other initiatives and reports have recently been prepared that address Downtown revitalization concerns including the following:

- The Mayor's Task Force on Downtown Issues and Renewal, March, 1994;
- The Hamilton Downtown Ideas Charette, January, 1997, organized by the Hamilton Society of Architects; and,
- Rebuilding the Heart of Greater Hamilton", submitted by the Hamilton and District Chamber of Commerce, June, 1997.

Tying all these initiatives and ideas evident in these documents into a concise consensus vision and strategic framework is important to ensure an effective and comprehensive approach to future plans for the Downtown.

The use of an independent consultant to facilitate a Downtown Vision Workshop is appropriate. Based in New York City, the American Communities Partnership is an organization devoted to improving the downtowns of cities across North America and has considerable experience in visioning workshops and action strategy development.

The key principal of the organization, Mr. Gianni Longo, will oversee all aspects of the visioning work, report preparation and background research. The focus of the work will be an all-day Downtown Vision Workshop involving all key stakeholders in the Downtown and also members of the general public.

Prior to the workshop, Mr. Longo will conduct one-on-one interviews with downtown and community stakeholders that will participate in the workshop and obtain the necessary background material on previous and current revitalization initiatives.

An all-day Downtown Vision Workshop is an ideal way of bringing together all downtown and community stakeholders to work intensely together for a common goal - the revitalization of Downtown Hamilton. Mr. Gianni Longo and the American Communities Partnership have considerable experience in downtown revitalization efforts with communities of all sizes and circumstances. To conclude, Mr. Longo's professional experience and perspective will be important for the Downtown Hamilton Partnership in developing an overall strategic framework for the future of Downtown.

The attached terms of reference outlines in detail the activities that the American Communities Partnership is expected to deliver.

JP/dd/dcr
attch.
c.c. Robert M. Morrow, Mayor
V. J. Abraham, M.C.I.P., Director, Downtown Initiatives Committee
M. Mascarenhas, Coordinator, Downtown Hamilton Partnerships
W. Michael Fenn, Chief Administrative Officer
N. Catalano, Director, Economic Development

OUTLINE - DR. LONGO'S VISIT

Phase I

- Conduct a guided tour of Downtown and the Community.
- An opening meeting with the Downtown Initiatives Committee. DIC is suggested as the committee responsible for this process.
- Interviews with key downtown and community leaders, arranged by DIC.
- An issue session with the Mayor, the Chair of the Downtown Partnership, and Council.
- A "town hall " meeting - widely publicized and open to the public - to define the community's VISION for Downtown in the year 2000.
- A focus group session with leaders of business and non-profit/community organizations involved in Downtown, such as the Chamber of Commerce, B.I.A.'s, YMCA, Hoteliers Association, HECFI, etc.
- A focus group session with City/Region department heads and senior staff.

Phase II (after two weeks)

Provide a draft document that includes:

- A description of the preferred future Downtown defined by Downtown's constituents during the site visit. This should be further condensed into a widely distributed vision statement after Council approval.
- A recommended course of action - called "Downtown Action Agenda" - designed to move Downtown from its current condition to the preferred future Downtown defined by the community.
- A recommended structure and assistance with creating a formal partnership - that would bring together the Downtown business community, City Hall, the Region, Federal and Provincial Governments, and citizens - to implement the Downtown Action Agenda.
- A recommended "implementation sequence" that condenses the Downtown Action Agenda into a series of sequential steps identifying who should implement each step (the Downtown Partnership, City Hall, BIA's, Chamber, etc.).

The Downtown Action Agenda must be designed to recommend and guide progressive and aggressive actions that should be taken in partnership. The Downtown Action Agenda must address the issues, concerns, and desires raised by those participating in this process. The inclusive process allows literally hundreds of individuals, from both the public and private sectors, to be involved in revitalization.

5. (b.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 August 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financials/Other Non-Departmental Budgets Quarterly Report as at June 30, 1997

BACKGROUND:

Attached is the Quarterly Report for the Financials/Other Non-Departmental Budgets based on actuals to June 30, 1997 along with a projection as to the year-end position. Based on the June 30, 1997 actuals, there is projected to be a net deficit of $49,780 at year-end as indicated and explained within the Quarterly Report.

This report is prepared as a component of the ongoing process to keep City Council updated on Current Budget issues.

Allan C. Ross

CURRENT BUDGET QUARTERLY REPORT
AS OF JUNE 30 1997

FINANCIAL ACCOUNTS AND OTHER NON-DEPARTMENTAL BUDGETS

Summary of Expenses/Revenues as of June 30 1997

To June 30th, Financial/Other Non-departmental Budgets actual expenditures are in a surplus position by 5.6% compared to the prorated Budget as indicated below. Revenues to this point are below budget by 5.3%, resulting in a net unfavourable variance of 5.2%.

An explanation of these variances follows the tables below.

Table 1 **BUDGET AND ACTUALS AS AT JUNE 30, 1997**

Financial Accounts/Other Variances to June 30, 1997	1997 BUDGET TO DATE (1)	1997 ACTUAL TO DATE (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE % (3/1) (4)
Expenses	$14,548,850	$13,731,430	$817,420	5.6%
Revenues	$70,525,540	$66,822,220	($3,703,320)	(5.3%)
Net Revenues	$55,976,690	$53,090,790	($2,885,900)	(5.2%)

Projected to Year-end based on the June 30th information, the favourable expenditure variance is expected to remain favourable at 2.3% and the revenue variance should remain marginally unfavourable at 0.5%, resulting in a very marginal unfavourable positi as indicated in Table 2 below.

Table 2 **PROJECTED TO YEAR END**

Financial Accounts/Other Variances projected to Year-End	1997 BUDGET (1)	1997 PROJECTED ACTUAL (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE PERCENTAGE (3/1) (4)
Expenses	$ 29,097,700	$ 28,424,190	$673,510	2.3%
Revenues	$141,051,090	$140,327,800	($723,290)	(0.5%)
Net Revenues	$111,953,390	$111,903,610	($49,780)	0.0%

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES

The expenditure favourable variance to June 30 is mainly attributable to the fact that the province's Supplementary Assessment Fee has not been charged to the City as yet, and Transitional monies budgeted have not been required to date. Finally, base budget amounts for new Capital Programs affecting the current budget do not have any charges allocated to date. Projected to year end, the main contributing favourable expenditures are expected to be the current budget costs of Capital Programs remaining unexpended, combined with savings from the Transitional financial accounts. Transitional accounts will be monitored based on the overall corporate position at year-end.

One final note relates to the approved reduction for Benefit costs which is set up within the Financial accounts. Treasury Departm staff are reviewing this issue and the Committee will be updated through the September 30,1997 Quarterly Reports.

All other financial expenditure and other non-departmental accounts at this point do not indicate any significant variances.

SIGNIFICANT REVENUE VARIANCES

Supplementary Tax revenues are currently 46% or $209,000 below budget due to the fact that the Regional Assessment Office is currently working on the change to current value assessment and are not expected to have a supplementary tax run until September. This account will continue to be monitored over the next quarter to determine whether the budget will be met by year-end. Gross interest income on investments is expected to slightly exceed budget, however it is unknown at this time as to whether the portion allocated to current budget is expected to be met as there is a greater portion of interest income attributable to reserve and reserve fund balances. Provincial subsidies are currently $3.0 million below budget however this deficit is strictly due to timing of receipt of subsidy payments. By year-end, subsidies are expected to exceed budget by $100,000 due to receipt of a pay equity grant.

It should be noted that a $1,512,750 draw from Reserve for Tax Stabilization, $600,000 draw from Development Charges, $414,000 draw for Debt Charges, and a $377,570 draw from the Reserve for Vehicle Replacements have been included in these estimates as provided for in the approved budget. As in previous years, should actual budget performance at year end indicate that the transfer from the Reserve for Tax Stabilization is not required, adjustment can be made accordingly. Additionally, Transitional revenues have not been drawn at this time but will be monitored based on the overall corporate position.

In summary, by year-end the main revenue shortfall is expected to be in the amount drawn from Reserves, some of which would not be required based on an overall corporate surplus.

IMPACT OF SERVICES/PROGRAMS APPROVED BY COUNCIL WITHOUT CURRENT FUNDING

At this point there are no new services and /or programs approved by Council that have a direct affect on the Financial budget for 1997.

CITY OF HAMILTON

- INFORMATION -

5. (d.)

DATE: 1997 August 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Excess or Surplus Capital financing during 1997 and Outstanding Capital Grant Requests

BACKGROUND:

Committee of the Whole at its meeting of 1997 April 3 agreed to table the Capital Grant requests until later in the year in order to determine if any excess or surplus capital financing identified during 1997 through the closure of capital project accounts, as approved by City Council may be available for funding capital grants.

The City Treasurer was directed by the Standing Committees and Council to close the following Capital Project Accounts with any excess funds being transferred to the original source of funding. These accounts were closed during 1997 January 1 through July 8 and were reported to Standing Committees and Council. As per direction noted above, the closed accounts are summarized below for review by the Finance and Administration Committee for consideration of their use in funding additional capital grants.

Centre No.	Description	Gross Cost	Total Expenditure	Excess Financing	Source of Financing
Library					
CF919241005	Concession Library Expansion	$1,924,000	$1,817,951	$106,049	Reserve for Capital Projects - Library
		$1,924,000	$1,817,951	$106,049	

Note: The Reserve for Capital Projects-Library was combined with the City's Reserve For Capital Projects in 1996, therefore excess funds would be returned to the City's Reserve.

Centre No.	Description	Gross Cost	Total Expenditure	Excess Financing	Source of Financing
Other Projects					
CF319341005	Major Maintenance to Civic Buildings	$350,000	$349,914	$86	Debenture
CF319441011	Main & Norfolk Fire Station - Mechanical /Electrical Retrofit	100,000	99,918	82	Reserve for Capital Projects
CF319441014	Mountain Composite Building-Roof Replacement	65,000	0	65,000	Debenture
CF319541002	C.U.P. - Capital Replacements	70,000	69,930	70	Capital Levy
CF319541003	Energy Management Projects	200,000	199,822	178	Capital Levy
CF319541005	Mountain Arena - Roof Replacement	410,000	207,673	202,327	Reserve for Capital Projects
CF319541009	Lawfield Arena - Roof Replacement	155,000	146,833	8,167	Reserve for Capital Projects
CF319541010	Replace Carpeting - Regional Offices in City Hall	142,000	117,566	24,434	Capital Levy
CF319641022	Energy Management Projects	111,000	110,910	90	Capital Levy
CF319641028	Dundurn Castle - Hot Water Boiler System Renovations	126,000	125,971	29	Reserve for Capital Projects
CF319651025	Copps Coliseum - Overhaul of Refrigeration & Air Conditioning Equip.	228,000	228,000	0	Capital Levy
		$1,957,000	$1,656,537	$300,463	

The excess financing noted above (including the Library project) was analyzed as follows:

Reserve for Capital Projects/Capital Levy	$341,426
Debenture financing (issued or yet to be issued)	$65,086
	$406,512

The excess debenture financing if previously issued, are reallocated to approved capital projects requiring debenture financing. If the excess debenture financing have not yet been issued, the debentures are not issued and the excess O.M.B. authorizations are cancelled.

The excess funds of Reserve for Capital Projects and/or Capital Levy available from closed accounts, such as proceeds of $341,426 noted above are transferred back to the Reserve for Capital Projects for financing future capital projects as outlined in the Capital Budget.

Attached as Exhibit 1 is a list of outstanding 1997 Capital Grants which were tabled at the Committee of the Whole meeting 1996 April 3, pending the identification of additional capital funds. In addition, through the Office of the Mayor, we have now received an additional request and is attached as Exhibit 2. If the Committee wishes to give further consideration to these requests, supporting documentation will be available at the Committee meeting.

Allan L. Ross

CK/jc

cc J. Pavelka, Chief Administrative Officer
R. Fair, Director of Culture and Recreation
K. Beattie, Grants Co-ordinator

CITY OF HAMILTON

OUTSTANDING 1997 CAPITAL GRANT REQUESTS

Exhibit 1

	Organization	Requested Amount	Purpose of Request
1.	Hamilton Filipino Community Centre	$40,000	- to be used in the restoration of the building
2.	Hamilton Victoria Curling Club	$9,990	- offset cost of repairs and replacement of equipment
3.	H.O. Model Engineers Society, Inc. (H.O.M.E.S.)	$9,000	- offset costs involved in relocating and lost revenue
4.	Lakeland Community Centre	$100,000	- renovations to the building
5.	Shalom Villa	$14,920	- to reimburse Shalom for development charges and to purchase stoves and fridges (Note: received $12,050 funding from Region; non-compliance w/ policy)
6.	The YWCA of Hamilton	$60,000	- to repair exterior brick veneer
	TOTAL REQUESTS	$233,910	

From: Robert J. and Judith M. Smith To: Mayor, Bob Mo

JUL - 4 1997

Exhibit 2



CODE BLUE

ONTARIO EMERGENCY HELICOPTER COMMITTEE
255 West Ave. N., Hamilton, Ontario, L8L 5C8
Phone: (905) 527-6649 Fax: (905) 544-6795

Date : 03/07/97

Time : 09:48:26

Pages : 1

To: Bob Morrow, Mayor

Company : City of Hamilton

Fax Number : 546-3915

To Kevin Beaulieu

Dear Sir:

We understand that you have received a copy of the letter dated June 19, 1997 forwarded by Mr. Stan Keyes, with enclosures. In view of the urgency regarding an application for a gift of the Twin-Huey helicopter, we are seeking commitments of funding for the conversion of this unit. The commitment would be requested only if the helicopter was donated to us.

We are seeking a commitment from the City of Hamilton in the amount of $50,000.00 and from the Regio in the amount of $100,000.00. Please process this request as soon as possible and advise.

Many thanks.

Sincerely

R.J. Smith, Treasurer, Past Chair.

5. (e.)

CITYOF HAMILTON

- RECOMMENDATION-

DATE: 1997 August 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Corporate Financial And Human Resource Systems - Year 2000 Compliance

RECOMMENDATION:

(a) That the City Treasurer be authorized to commence a process of evaluating alternatives for replacing the existing financial and human resource systems for the City; and

(b) That the purchasing policy and process used for hiring consultants (outlined in Appendix A attached) be followed for the selection process; and

(c) That a full report on the evaluation, recommended solution, cost and funding be forwarded to the Finance & Adminstration Committee for approval; and

(d) That an amount of $50,000 be allocated, from the existing funding for Project Management - Tax System, to this project for staffing and/or consultants during the initial selection period; and

(d) That this project be undertaken jointly with the Region of Hamilton-Wentworth.

Allan C. Ross

BACKGROUND:

Capital Budget approval for a Human Resource system ($0.5 million) and the Project Management - Tax System ($0.446 million) were approved in the City Capital Budgets of 1994 and 1995 respectively.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Estimated Costs

The total cost of this project, if it proceeds to full system replacement and implementation in terms of staffing and financial, is expected to be considerable. There will be one time costs for purchase and implementation of a new system and there are ongoing costs of running and maintaining the system. Estimates, based on a survey of other Municipalities who have completed this project, range from $2.0 million to $4.0 million in one time costs and $.5 million to $2.0 million/year for ongoing costs. Our best estimate at this time would be in the $2.5 to $4.0 million range for the City and Region combined. Exact costs cannot be determined until a full evaluation of which system is best suited to meeting our needs is undertaken.

Current Costs

Currently the City and Region spends about $2.0 million annually on running their Corporate Financial Systems. The Shared services study, undertaken for the City and Region by Price Waterhouse, stated "Relative to other organizations a $2,000,000 charge is considered a high maintenance fee. Typical charges we have observed in comparable sized organizations range from $750,000 to $1,000,000". We are confident that once fully implemented we can save at least $500,000 in ongoing costs. This would provide a payback of no more than 5 years.

Funding

City Council has already approved $.5 million for a Human Resource System. Approximately $450,000 still remains unspent. Additional funding of up to $1.5 million could be required for the City's portion of the one time costs. A detailed business plan with funding recommendations will be presented to Committee and Council once the evaluation is complete, and before a decision to proceed is made.

An amount of $0.446 million remains from funding previously approved for the tax project. This system is currently being modified to address the new requirements (CVA) for the changes in assessment the Province has introduced for 1998. In addition funds will be utilized to acquire a point of sale system for processing of tax and other payments. There are sufficient funds available in that account for allocation of $50,000 required for the staffing/consultant costs during the initial selection phase of this project. Additional funding may also be available within that account to provide funding towards a new financial system.

DISCUSSION

Problem Identification

In 1977 the City and Region purchased a suite of Financial (and Human Resource) systems from Management Sciences of America (MSA). These systems were implemented in subsequent years, have since been modified and augmented and are the current software being used by both the City and Region. With the upcoming turn of the century, these systems must now be replaced as they will not be functional in the year 2000. In addition, traditional systems (such as ours) were designed to run on mainframes. Traditional methods of providing services are no longer acceptable and managers are continually being asked to do more, or at least the same, with less. Our current Corporate Financial and Human Resource Systems are no longer able to provide the tools required to produce the productivity enhancements or program rationalization required to sustain current levels of service with a shrinking dollar. Client-server technology now exists that provides a highly integrated management support systems designed to meet the many challenges of today and into the next century.

In addition, the current software that is shared by the City and Region is not compliant with the year 2000 and therefore must either be upgraded or replaced before January 1, 2000. Most software that is non-compliant with the year 2000 was originally developed in the 60's or 70's. Although most vendors upgrade their software, these systems still lack the total integration, decision support tools and open architecture required to meet the challenges of the next century. It is therefore an opportune time to review what new systems are available on the market today and then develop a business case for either moving to a new system or alternately upgrading our existing system.

The Human Resources Department issued a request for proposal for a new Human Resource System in 1994. The preferred vendor they selected has now decided not to actively market their product. The department has agreed to join the process of looking at integrated Financial and Human Resource Systems. Should an integrated system meet their needs, and the costs are favourable, the integrated solution will be recommended. If, however, they find a suitable standalone system that better meets their needs and is easily interfaced with the Corporate Financial Systems, they will pursue that route.

Where do we go from here?

The simple solution to solving the Year 2000 problem would be to upgrade our existing system to be compliant with the year 2000. This will not, however, address the many shortcomings of using 25 year old technology in our current changing environment. The recent Shared Services study, done by Price Waterhouse, documented these shortcomings and have also identified potential cost savings, in the long run, by upgrading our current technology. The initial investment in both dollars and staff time will be considerable. However, there are considerable savings expected replacing our legacy systems with current technology.

Staff have conducted a survey of 26 municipalities in Ontario to determine what route they have taken to make their Corporate Financial and Human Resource systems compliant with the upcoming year 2000. Of the total, 19 are non-compliant while the other 7 have recently upgraded to new software. Of the remaining, 10 are currently in the process of evaluating new software while 5 have decided to upgrade existing software to the new version that is year 2000 compliant.

In the 15 to 20 years, since we last did an evaluation of systems, the technology has changed considerably. The Financial System market has seen change in both ownership, through mergers and consolidations, and in product, to open technology, to support the complexity of financial and management reporting of today's Government and Business. The considerable dollars required to fund the research and development required to meet these new needs has squeezed out the mid-size vendors leaving a handful of vendors with a product flexible enough to meet the varied requirements of both Industry and Government. The challenge remains in choosing the system that best meets the needs of your Corporation.

What is the Process?

The traditional way of going about upgrading systems was to issue a request for Proposal (RFP) which involves a considerable amount of work for ourselves (to create) and the vendors (to respond). The experiences of other municipalities, that have already been through the traditional process is very similar. In most cases, these municipalities have ended up with the same few vendors who can satisfy the majority of the needs of today's environment. In order to drastically reduce the amount of time required to prepare, issue and respond to the traditional RFP it is being recommended that the current City purchasing policy for selection of consultants be used for this process. This policy is outlined in Appendix A.

The process recommended will continue to be consistent with the Purchasing principles of "fair and open competition" and "best value for the corporation" by providing all interested vendors the opportunity to present their software as the solution to meeting our functional and technical needs.

"Fair and open competition" will be attained by evaluating all candidates fairly based on pre-determined criteria. These criteria are outlined in Appendix B attached. Most software vendors will meet the generic set of functional needs that are often the basis of preparing the traditional RFP's. Assessing how each package fulfils our core analytical and management reporting processing requirements will rapidly narrow the field of vendors. Traditional systems were designed for the financial type users, new systems must target the non-financial user. Not all software packages come equipped with these analytical features that have a "drill-down" capability to create your own view of the data or have the reporting tools that support what-if analysis, provide graphical output and are interactive. Once we complete this phase of the evaluation we expect we will have a short list of 2-3 vendors that best suit our functional and technical needs. The next phase of the evaluation will ensure getting the "best value for the Corporation".

"Best value for the Corporations" requires that we select the best and most cost effective product and that we get the lowest end cost for that product. Once it is determined that a vendor is capable of meeting all the functional and technical criteria the prime criteria moves to the cost as measured against the effect that software will have on the productivity of the organization. It still requires that we apply the "fair and open competition" principle but we achieve it through the vendors being requested to submit pricing and then negotiating with the short list of vendors. This negotiated price will be an all inclusive cost of obtaining the rights to use their software as well as implementation and conversion from our existing software within the two year time frame. These costs will include both "hard" (ie licensing) and "soft" (ie conversion and training) costs.

Staff at the City and Region have already done considerable research and review of the several RFP's, that have been issued in the past year by other Municipalities, and are satisfied that their documented needs are generic enough to satisfy the general needs of our two organizations. Discussions with several of the project leaders on these municipalities have also provided us with considerable in-depth knowledge as to what specific questions we need to develop and get answers to, relative to our specific functional needs and technical configuration.

TIMING

All the City Corporate Financial and Human Resource systems must be made compliant with the year 2000 no later than December 31, 1999. This leaves a little more than two years to select, install, convert and test a new system. Based on our experience and that of many other municipalities, the installation and testing can take anywhere from 6 months (optimistic) to two years. Times can vary considerably depending on the amount of staff resources and/or external consultants devoted to the task. It is our intention to use primarily internal staff (Treasury and IS) with some external consultant help. We expect the project team to consist of a Project Manager and at least 4 staff (2 City and 2 Region) dedicated fulltime to the project.

As in the past, we expect to dedicate existing internal staff to this project and backfill the vacated positions only if necessary. Use of external consultants (up to $25,000) will be kept to a minimum and only be used to provide input in areas where internal staff do not have the relevant expertise, such as using a consultant who has previously had experience evaluating or implementing target software. Their input is one way of verifying the validity of what the vendors tell us about their software. References will also be requested from the vendors.

Further details on staffing and consultant costs will be provided as part of the business case. Once F&A and Council approval is received (Regional Council has already approved the Regions's participation) it is expected that this project will begin immediately. Optimistically we can have a recommendation by the end of this year. That will provide us with a full two years for implementation.

Att'd

c.c. J. Pavelka, Chief Administrative Officer
J. Johnston, Commissioner of Human Resources
J. Hindson, Director of Information Systems

APPENDIX A

Process for Selection of Corporate Financial and Human Resource Software

Phase I

1. Invite known vendors (see list below) to make presentations to demonstrate their systems and how they will meet the pre-defined set of functional and technical needs. Advertisements will be placed, in the Globe and Mail, The Spectator, and the City Web page on the internet, to solicit any other vendors not listed.

2. Conduct an in-depth analysis to determine a short list of, a minimum of 2 and a maximum of 5, vendors to move on to Phase II of the evaluation.

Phase II

1. Request detailed costs, from each short-listed vendor, providing a menu of options ranging from base costs to providing a fully implemented system on a turnkey basis.

2. Provide on-site testing of their system on the City network.

3. Provide a reference of one site where their system has been implemented for the purpose of a site visit.

4. Develop a business case for preferred option and make recommendation to F&A Committee and Council

List of Vendors:

- GEAC (Software Current vendor)
- J.D.Edwards & Co
- Baan
- SAP
- Oracle
- Peoplesoft
- Systems Union Inc. (Sun Systems)

PHASE I CRITERIA

Evaluation

In order to facilitate the software selection, an evaluation team consisting of internal staff from the City and Region will be assigned to carry out an evaluation of each vendor's software offering.

Evaluation Criteria

i. **Functional Reporting**

Emphasis will be on determining how the software meets the City's and Region's immediate requirements. These requirements include:

(1) General Ledger
(2) Budget
(3) Accounts Payable
(4) Purchasing
(5) Payroll
(6) Human Resources

(Detailed and specific requirements will be prepared under separate cover)

ii. **Management Reporting**

Emphasis will be given to the software's ability to facilitate the following business functions:

(a) **Analytical processing** - drill down capability for analysis and reporting are powerful management tools. Ability to provide financial and performance measurement data for what-if analysis, graphical output and interactive access are all critical to today's managers.

(b) **Work-flow integration** - Provides productivity and communications enhancement opportunities by streamlining work-flows across various systems.

(c) **Activity Based Costing** - Ability to accumulate costs on a pre-determined unit of measure for an activity or program.

(d) **Performance measurement** - Today's management reporting systems must provide the ability for the accumulation of not only financial data but also units of measurement for the services provided. Provincial reporting requirements are changing to require reporting on pre-determined performance measures.

(e) **Flexible Reporting** - New management Support systems must be flexible enough to allow for defining how and where resources are utilized and services delivered. Specifying the output measures, like number of kilometres of road maintained or side-walk repaired, are now becoming mandatory requirements for all new systems

(f) **Budget preparation** - The budget preparation process is no longer a simple number crunching process. Increasing costs , through down-loading, and zero percent increases require managers to have an interactive budget process to be able to create scenarios and perform "what-if"type analysis. Integration with data from other systems like payroll and Human Resources are critical to the whole budget preparation process.

iii. **21st Century Sustainability**

Functional requirements are usually developed on the basis of past needs. Ability to meet the needs of the past is no longer the only criteria for selecting software. Systems that provide future functionality must be given credit for forethought and cost savings built into the business case. Systems that provide, for example, internet readiness or EDI (electronic data exchange) should be considered as key factors to being able to meet the changing environment demands without additional costs for upgrading. Vendor viability, cost of ownership and support are also important criteria for the future viability of the chosen software. Attention will be given to the vendors financial strength, market focus, customer satisfaction, R&D investment and product strategy.

iv. **Technical**

- "IEEE" 802.3 Network (ethernet), with TCP/IP protocols
- Clients must have WIN95 or WINNT
- Server WINNT server
- System must run onINTEL or INTEL and ALPHA Server
- Preferred database is Microsoft SQL Server

v. **Overall**

Overall attention will be paid to the software's robustness, reliability, internal security control and responsiveness. Consideration will be given to things such as ease of navigation, quality of help available, and look-up capabilities. It is important that at a minimum there be on-line inquiry access to information and on-line requisition entry. In order to facilitate our implementation strategy the software should be available in combination of character base, GUI, and client server modes.

PHASE II CRITERIA

TOTAL SYSTEM COST

A. Total System Cost must include at least the following:

- One-time licensing cost of the following:
  - (i) General Ledger
  - (ii) Budget
  - (iii) Accounts Payable
  - (iv) Purchasing
  - (v) Payroll
  - (vi) Human Resource
  - (vii) Maintenance Management (Activity Based Costing)
  - (viii) Accounts Receivable
- Consulting/integration implementation services
- Any network upgrades, hardware (Servers, Cards, etc) or software necessary to permit the application software to run successfully with pre-determined response times
- On-going annual Maintenance Costs
- Internal staffing requirements for:
  - Implementation and Conversion
  - Ongoing System Maintenance
- Other related costs

Alternate cost must be provided for turnkey (complete package implemented and converted). If there is a consortium submission involving more than one vendor in partnership, one of the vendors must be selected as official respondent for the purpose of submission and primary contact/communication during evaluation process.

B. Each vendor has three weeks to prepare a test environment that will facilitate the City/Region's testing of their software. The testing can be done at the City/Region headquarters (preferred), or at the vendor's site within the Greater Toronto Area. The test environment should include:

- Deliverable software installed and configured on a test hardware platform;
- A configured database loaded with data derived from our specifications;
- Sufficient support staff to assist staff to carry out the testing;
- Sufficient training of the staff to carry out testing;
- Documentation.

5. (f.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Business Tax Accounts assigned to the Bailiffs for collection

RECOMMENDATION:

That the City of Hamilton's business tax collection procedures be revised to provide for the assignment of outstanding business tax accounts in excess of $ 2,000 to the bailiffs, for which immediate collection action is required.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

On October 8, 1996, City Council approved a report from the Finance & Administration Committee which recommended that the City engage the services of ABS Bailiff Services and P.D. Merrel Bailiff Inc. (subject to their obtaining judicial consent) for the collection of outstanding business taxes. While the City has been using ABS Bailiffs for this purpose since the inception of a pilot project almost two years ago, judicial consent for P.D. Merrel to practise in the Region of Hamilton Wentworth was only received from the Courts on May 29, 1997. The agreement with this firm has now been finalized by both parties and the City is in a position to issue warrants to both bailiffs for the collection of accounts.

As indicated in previous reports, due to the volume of delinquent business tax accounts and the fact that there are only 2 bailiffs engaged by the City, it is not practical to have warrants issued on <u>all</u> outstanding accounts after the pre-levy and levy billings of 1997. A recent analysis of the arrears as at June 30, 1997 shows that there are approximately 1900 accounts with arrears of approximately $ 2.1M from the 1997 levy and other adjustments which have not yet been forwarded to either the collection agency or the bailiffs. These accounts have all received final notices in 1997. Of that amount, approximately 400 accounts representing $ 1.7M in total have balances outstanding in excess of $ 2,000. Staff are recommending that warrants be issued on these accounts and that they be forwarded to the bailiffs for collection.

The remaining $ 400,000 representing the total of accounts under $ 2,000 each will be forwarded to the collection agency for collection under the "special program".

Under our present procedures, all cheques received by the bailiffs for the collection of business taxes are made payable to the City of Hamilton. The bailiffs have each deposited with the City a $ 500,000 bond for employee dishonesty insurance. Staff had originally planned to limit the total amount of warrants assigned to each bailiff to the amount of the insurance. However, an analysis of the warrants issued under the pilot project and our experience to date with ABS Bailiffs shows that almost 50% of the warrants issued are returned by the bailiffs because the company is out of business, moved, etc. Of the remaining 50% that is collectible, approximately 35% is collected in monthly instalments through payment arrangements made by the bailiffs. These cheques are maintained and processed by City staff from post dated cheques delivered by the bailiffs. In addition, any cheques received by the bailiff are forwarded to the City within 5 working days.

Based on the above procedures, the amount subject to risk of loss to the City as a result of employee dishonesty through the bailiffs is significantly reduced, and is substantially below the total amount of warrants placed with the bailiff at any point in time. Furthermore, it has been confirmed through the City's liability broker and our crime policy insurer that, in the event of loss which was not covered by bailiff insurance or bonds in place, the City's insurer would respond. This coverage is limited to $ 5M and is subject to a $ 10,000 deductible.

As you are aware, the Province has abolished the Business Occupancy Tax effective January 1, 1998. While there will no further business taxes levied, the City still has to deal with the collection of the outstanding arrears. Because of the discontinuance of this tax levy, staff are of the opinion that it is imperative that collection action be taken at this time through the use of bailiffs for large outstanding accounts to reduce future losses.

In order to secure or attempt to secure the City's interest, it is important that the bailiffs visit <u>all</u> of these sites now, make an assessment on the collectibility of the accounts and make a seizure of the goods where required. As mentioned previously, the amount collectible on accounts in excess of $ 2,000 per account is $ 1.7M. Rather than limit the amount of warrants turned over to the bailiffs to $ 500,000 and delay and possibly lose the ultimate collection of the account, staff are recommending that warrants be issued immediately and served on all accounts with arrears in excess of $ 2,000.

The recommendation to amend the business tax collection procedures to allow for the issuance of warrants on accounts over $ 2,000 is based on our current level of activity and the procedures may require further adjustment for the dollar tolerance level at some later date depending on the success of the program.

c.c. P. Noé Johnson, City Solicitor
Attention: L. Farr

5. (9.)

CITY OF HAMILTON

- INFORMATION-

DATE: 1997 August 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Realty & Business Tax Arrears and Collection Procedures

BACKGROUND:

The purpose of this report is to advise the Committee on the status of business and realty tax arrears as at June 30, 1997, and to evaluate the effectiveness of the revised collection procedures and policies which have been implemented to date.

PART "A"- CURRENT STATUS OF REALTY AND BUSINESS TAX ARREARS

The following is a comparison of the overall status of realty and business tax arrears as at June 30th for the period 1993 to 1997 inclusive.

	1993	1994	1995	1996	1997
Realty Tax Arrears	$74.5M	$78.3M	$77.5M	$78.1M	$71.3M
% Increase/Decrease	20.1%+	4.6%+	1.1%-	.8%+	8.8%-
Business Tax Arrears	$ 11.2M	$ 11.0M	$10.2M	$8.4M	$8.9M
% Increase/Decrease	28.0%+	2.1%-	6.8%-	18.0%-	5.7%+
Total Arrears	$85.7M	$89.3M	$87.7M	$86.5M	$80.2M
% Increase/Decrease	21.1%+	3.8%+	1.8%-	1.4%-	7.4%-

Note: The above realty arrears include MAPP payments for July 1st of each year where applicable

You will note from this analysis that the rate of increase in realty tax arrears has been reduced substantially in the past 3 years and the amount outstanding for 1997 is approximately 9% less than the prior year. Outstanding business tax arrears have also been steadily declining over the past 4 years. While there is an increase in the amount of arrears for 1997, it should be noted that there was a supplementary tax billing of approximately

$730,000 made in June 1997 while no similar billing was made in June of the prior year. Excluding that billing, business arrears would have been reduced by $ 248,290 or 3.0% from 1996 levels. Overall, the total arrears have been reduced by $ 6.3M which is a 7.4% reduction from the prior year.

Exhibits "A" and "B" (attached) show an analysis of both realty and business tax arrears for the past 6 years as at June and December. You will note that the amount of arrears are historically higher in June of each year than at year end by a notable margin.

Realty Tax Arrears

Our current analysis of realty tax arrears, which are secured against the property, indicates that, as in the past few years, the trend is continuing in which a small number of large accounts represent a large share of the total realty taxes outstanding. We are continuing to focus collection efforts towards these larger accounts. The majority of the realty tax arrears represent current and 1 year prior taxes. The total amount of these arrears appear to be stabilizing whereas the amounts in the 3 year+ category have been increasing until a reduction in 1997. Over the past few years, there has been a need to place more emphasis on collections on properties which are or will be subject to tax registration procedures, and this has been done.

Exhibit "C" illustrates the aging of the realty tax arrears as at June and December for the past 6 years. You will note that overall arrears have declined significantly in the past year. Prior to 1995, the majority of the increases occurred in the current and first two years arrears category. These arrears have now shifted into the 3 year category where the properties are subject to tax registration procedures. As indicated in this illustration, the realty tax arrears in this category increased from $7.7M in June, 1995 to $10.2M in June, 1996 which was an increase of $2.5M or 32.5% over the prior year period. From June 1996 to June 1997, the arrears in this category decreased by 4% to $ 9.8M, in part due to continuing emphasis in collection of these arrears. As previously noted, this amount represents only the portion of the taxes over 3 years in arrears on those properties subject to tax registration. The total arrears applicable to this category of properties amounts to $22M.

Exhibit "D" represents an analysis of the outstanding realty taxes as at July 31, 1997 (June 30th figures were not readily available). As indicated, there were 13,881 properties in the City of Hamilton with tax arrears. Approximately 11,873 were single owner residential properties owing $26.4M or 42.8% of the total realty tax arrears. The balance of 2,008 properties were multi-residential, commercial, and industrial properties, owing $35.4M or 57.2% of the total amount.

The upper portion of this exhibit shows the distribution of the arrears owing per property. There were approximately 13,082 properties (94%) with arrears of less than $10,000 owing a total of $25.9M or 41.9% of the total arrears. The remaining 799 properties (6%) owe arrears of $35.9M or 58.1% of the total outstanding. This trend is continuing from 1995 & 1996 although some of these larger accounts are gradually being settled through the use of extension agreements, refinancing arrangements initiated through the tax registration process, and tax sales by the City.

From January 1996 to January 1997 the number of properties subject to registration increased from 1,556 to 1,581, an increase of 25 properties or 1.6% from the prior year. As at June 30, 1997 as a result of ongoing payments and payment arrangements, 470 properties remained subject to the tax registration process. At the time of this report, 31 properties had been registered in 1997 for tax arrears under the provisions of the Municipal Tax Sales Act. During 1996, 163 properties were registered through this process and to date 87 of these have been paid in full. It is forecasted that tax arrears certificates could be registerable on the titles of over 200 properties in 1997 unless sufficient payment is received or acceptable payment arrangements are arrived at before the registration date.

Presently there are 45 properties which have not been redeemed within the one year period. Extension agreements have been processed on 25 of these properties and the remaining 20 properties are being reviewed to confirm proper procedures have been followed. The properties will then be offered for sale for tax arrears by tender in accordance with the Municipal Tax Sales Act unless paid off in full. Since 1989, 36 properties have been sold for tax arrears. Of these, 5 have been owner occupied residential properties. The remaining properties were vacant land, tenanted or unoccupied buildings. The current collection procedures allow the property owner every opportunity to make payment over the three year period prior to registration, and the Treasury Department is prepared to accept reasonable payment arrangements and register the property only as a last resort. After the property is registered, the taxpayer has the opportunity to enter into an extension agreement for payment of the arrears in instalments or redeem the property by making payment in full at any time prior to the sale.

Business Tax Arrears

In the case of business taxes, which are not secured against the property, the present aggressive business tax collection procedures will be continued in an attempt to lower tax arrears in this area. The temporary reorganization of supervisory staff in the taxation section has had a positive impact on collections in addition to improvements implemented in the billing process and monitoring of accounts. We are continuing with the proposed overall reorganization of staff in the taxation section.

On October 8, 1996, City Council approved the hiring of 2 bailiffs to assist in the collection of business tax arrears. As noted in previous reports to the Committee, for the purpose of collection of insolvent accounts, the City's status is that of an unsecured creditor. Accordingly, the City's claim is satisfied after the Federal and Provincial Governments

(Income Tax, Sales Tax, Worker's Compensation, etc.) any claims for wages owed employees and any secured creditors. By utilizing the services of a bailiff, the City can elevate its position to that of a secured creditor which effectively gives the City a priority in claims over most creditors thereby improving the collectibility of most business tax accounts.

In total, approximately 180 warrants representing $ 1.5M in outstanding business taxes have been issued to bailiffs by the City since the inception of the program. On several occasions we have been able to secure payment on difficult accounts with significant arrears after authorizing the bailiff to proceed with the removal of goods and chattels. Attendance by the bailiff on site allows for direct contact with the delinquent taxpayer and provides the bailiff with an opportunity to make a better assessment of the taxpayer's ability to pay. Our experience to date has shown that the use of the bailiffs to collect outstanding business tax arrears is a very effective means of collection. In a separate report included within this agenda, a specific recommendation concerning the acounts to be forwarded to the bailiff for collection is provided.

Prior to 1994 (Exhibit "B"),business tax arrears were increasing at a rate not seen in recent history. Increased numbers of business closures, bankruptcies and a general economic sluggishness were contributing factors in this regard. Business tax write-offs were $1,091,000 in 1994, $1,259,000in 1995, and $1,392,000in 1996. It is anticipated that 1997 write offs will be approximately $1,500,000.

Included in the $8.9M business tax arrears as at June 30, 1997 is the amount outstanding from a supplementary business tax billing of $ 730,000 which was made in June of the current year. A billing for supplementary taxes was not made in June of the prior year. Also included is an amount of $1.3M in outstanding appeals under Section 442 of the Municipal Act which are outstanding with the Assessment Review Board. The majority of these accounts are out of business and have been overbilled for taxes in 1997. These adjustments will be made to the remission account and partially recovered from the Region and School Boards based on their percentage of levy (75% of amount is recoverable). The implementation of a revised procedure by the Province for dealing with the administration and the hearing of these appeals and the automation of the process within the Treasury Department has enhanced the processing of these documents.

PART "B"- EVALUATIONOF REVISED COLLECTION POLICIES/PROCEDURES

The City's revised realty and business tax collection procedures are outlined on the attached Exhibits "E" and "F". Revisions which have been recommended to the Committee over the past three years have been incorporated into these procedures although some may not yet be fully implemented since we are still in the process of staff reorganization and making changes to internal processes and systems procedures within the Department.

We are continuing our efforts towards a more personal approach and communication with taxpayers who are in arrears in order to make a better assessment of their financial situation and determine the proper course of action.

Revisions to Collection Procedures Implemented to date

Realty Taxes

- Personalized letters from the Treasurer are being forwarded to all property owners with arrears in excess of $50,000. with encouraging results. In addition, personalized "final notices" are being sent to all taxpayers prior to the registration of the property which has generated a favourable response and resulted in an increase in payment arrangements.

- The introduction of extension agreements has offered staff and the taxpayers more flexibility in dealing with serious tax arrears problems and an alternative which suspends tax sale proceedings. Although it has encouraged payment arrangements and been favourably accepted by taxpayers, it has also increased staff administrative demands in this area. A user fee to assist in defraying these additional costs was implemented in 1995.

- An additional remedy which has been utilized is rent attornment. Under rent attornment, tenants occupying a property in realty arrears are required to remit their rent directly to the municipality to offset outstanding tax arrears.

- The Law Department undertakes searches and registration of properties subject to tax registration procedures which has improved the process in dealing with the numbers of properties subject to registration. The Law department has provided assistance and advice on the application of extension agreements, and the tax sale process for the disposal of tax arrears properties.

- The Law and Treasury departments have been actively pursuing collection of realty tax arrears on abandoned industrial properties and other properties where there are indications that environmental conditions may exist. In one instance, an agreement was negotiated with the Province whereby the City was absolved from the liability for cleanup costs on a property with large tax arrears ($2.4M) for a period of one year following acquisition by the City through tax sale. This time period allowed for the subsequent sale of the property by the City. Recently the City successfully sued a court appointed Receiver for an amount in excess of $1.8M for monies collected but not remitted to the City for tax arrears (Note: the decision is being appealed to a higher court). Both of these matters have been separately reported to Committee.

  In December 1996 and January 1997, tax arrears certificates were registered on a number of these properties. Each of these properties will be reviewed on a "case by case" basis for appropriate collection procedures.

- A computerized listing of all properties with arrears in excess of 2 years was forwarded to all major financial institutions in the City of Hamilton in 1995. Unfortunately, this process was not as effective as originally anticipated since these institutions have not been able to sort only those properties in which they may have an interest due to the lack of a mortgage number or some other identifier on the report. We are still reviewing our alternatives in this area.

Business Taxes

- A collection team comprised of Treasury and Law Department staff has been established to review accounts, evaluate collectibility and recommend appropriate collection action. The Law Department has also provided resources to assist in pursuing the collection of outstanding business tax accounts through representation at Small Claims Court.

- The Treasury Department has appointed, as part of the proposed reorganization, a collections clerk to deal with the demand for additional monitoring, tracking and maintenance of accounts in the system due to the number of out of business accounts, bankruptcies, appeals, etc.

- The revisions by the Province to the system of processing and hearing appeals to the Assessment Review Board and the implementation of a automated system in the Treasury Department has expedited the processing of adjustments and the subsequent follow up and collection of outstanding accounts.

- The policy approved by Council for extension agreements, which requires payment or payment arrangements for outstanding business taxes as a condition of the agreement, has provided a mechanism to assist staff in the collection of arrears which may have otherwise been difficult to collect.

- A procedure for in-house collection on large accounts including personalized correspondence and/or telephone contact by staff has been partially implemented.

- Improvements have also been implemented in the process for handling postdated cheques and payment arrangements as a result of increased personal contact by staff with delinquent taxpayers.

- Changes to the billing system have also been made be accommodate the expanded bailiff program.

Recommended Revisions to collection procedures not implemented to date

The following is a summary of revisions to the collections procedures which have been approved and are still being evaluated and reviewed by the Treasury Department.

- Implementation of an additional notice from the Treasurer to property owners with arrears in excess of one years taxes. We are investigating the possibility of forwarding these notifications in January, 1998 in conjunction with the notices forwarded to taxpayers respecting properties which are three years in arrears subject to tax registration procedures.

- Develop a system to match the City's accounts payables against business tax arrears and withhold payment pending negotiated settlement of outstanding business taxes.

- Provide formal training for staff in collection techniques which will increase the effectiveness of in-house collections.

PART "C" - LONG TERM SOLUTIONS, PLANS FOR REORGANIZATION AND LEGISLATIVE CHANGES EFFECTIVE JANUARY 1, 1998

As mentioned previously, the City of Hamilton is in need of a new taxation system. While we have discontinued our joint efforts with the cities of Mississauga and Scarborough in developing a new tax system, we are continuing to make improvements to the existing system to accommodate our current requirements. The Treasury Department is also continuing to review plans for a reorganization of the taxation and sundry revenue areas to accommodate improvements in revenue administration, arrears collections and customer service areas.

With the results of the special project effort on arrears, implementation of anticipated computerized enhancements and restructuring, it is projected that our long term objectives of more efficient tax collections and improved customer service will be achieved.

The Province of Ontario has introduced Legislation which will amend the manner in which properties are assessed and taxed across the Province effective January 1, 1998.
By virtue of these Legislative changes, a business occupancy tax will no longer be levied. Accordingly, the most administratively burdensome source of revenue for municipalities will be absorbed by an expanded realty tax levy. Along with these Legislative adjustments, the manner in which business is conducted in the taxation section and the staff requirements will have to be addressed.

The technical changes required to continue running the existing taxation system are being addressed by the CVA (Current Value Assessment) project. Staffing from existing Treasury and Information Systems complements have been assembled to refit the taxation system to accommodate the new requirements. The completion of this work for the 1998 taxation levy is of paramount importance. That same project has also been utlilized to complete other systems updates which will provide enhanced customer service in such areas as the delivery of "Treasurer's Tax Certificates". Efficiency enhancements, to include online updating for tax adjustments, data storage and retrieval will also be reviewed.

Conclusion

The rate of growth in the level of tax arrears has stabilized over the past 3 years and overall, tax arrears have decreased by $ 6.3M or 7.4% since June 1996. The implementation of revised collection procedures and co-ordinated efforts with other departments, along with the ongoing reorganization of staff in the collection area, has had a positive impact on the level of arrears and has resulted in savings in the costs of agency collection fees. It is anticipated that further savings will be realized through the increased use of bailiffs to assist in the collection of delinquent accounts. These savings will be used to finance the pending reorganization of resources in the Treasury Department and to implement budgetary savings for the Corporation.

It is important that we continue to review our procedures on a regular basis and make recommendations which will further improve our effectiveness in the collection of these accounts, enhance customer service and decrease our overall costs.

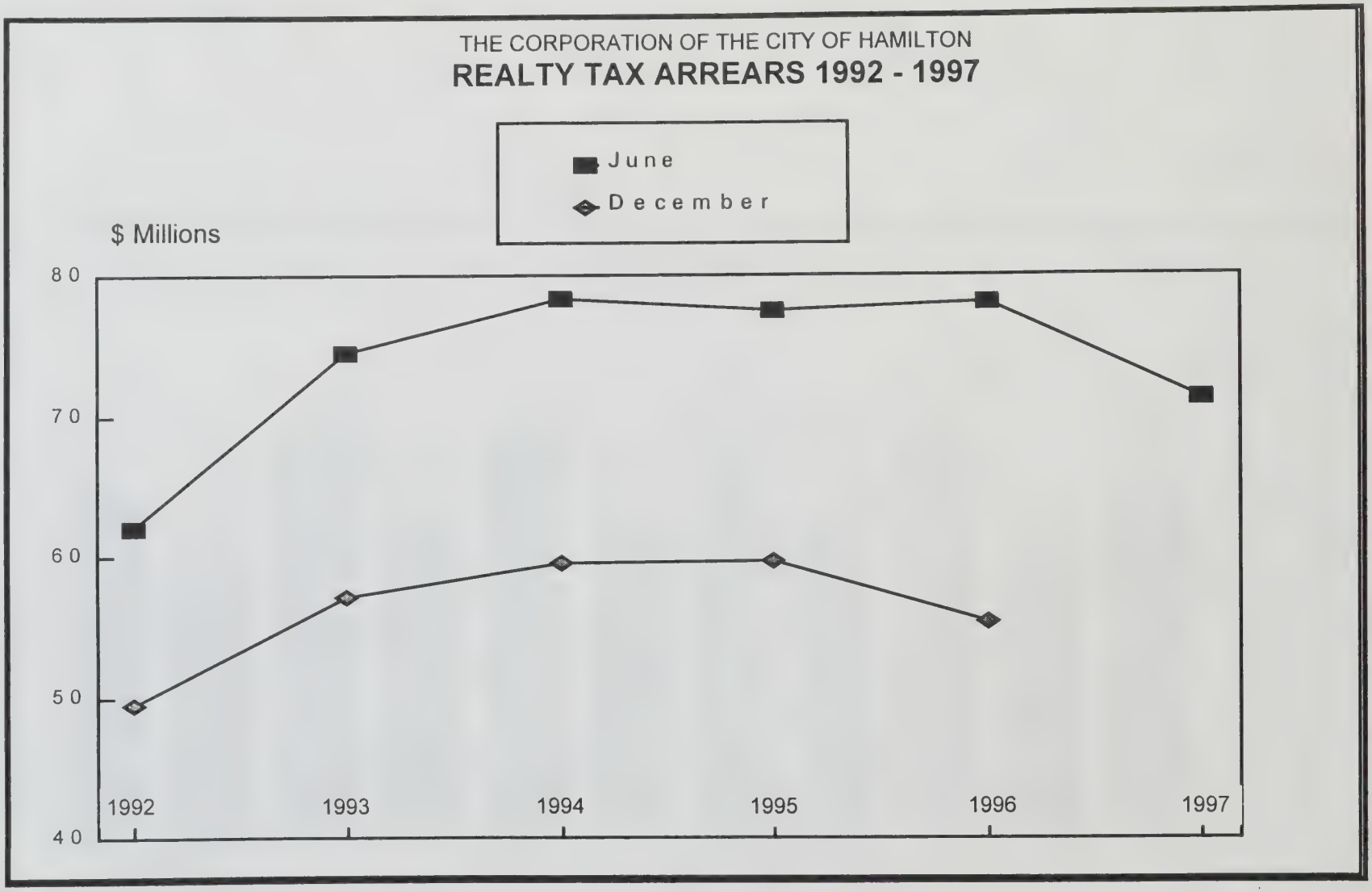
Allan C. Ross

TWD:jc
Att's

c.c. J. G. Pavelka, P.Eng., Chief Administrative Officer
P. Noé Johnson, City Solicitor

THE CORPORATION OF THE CITY OF HAMILTON

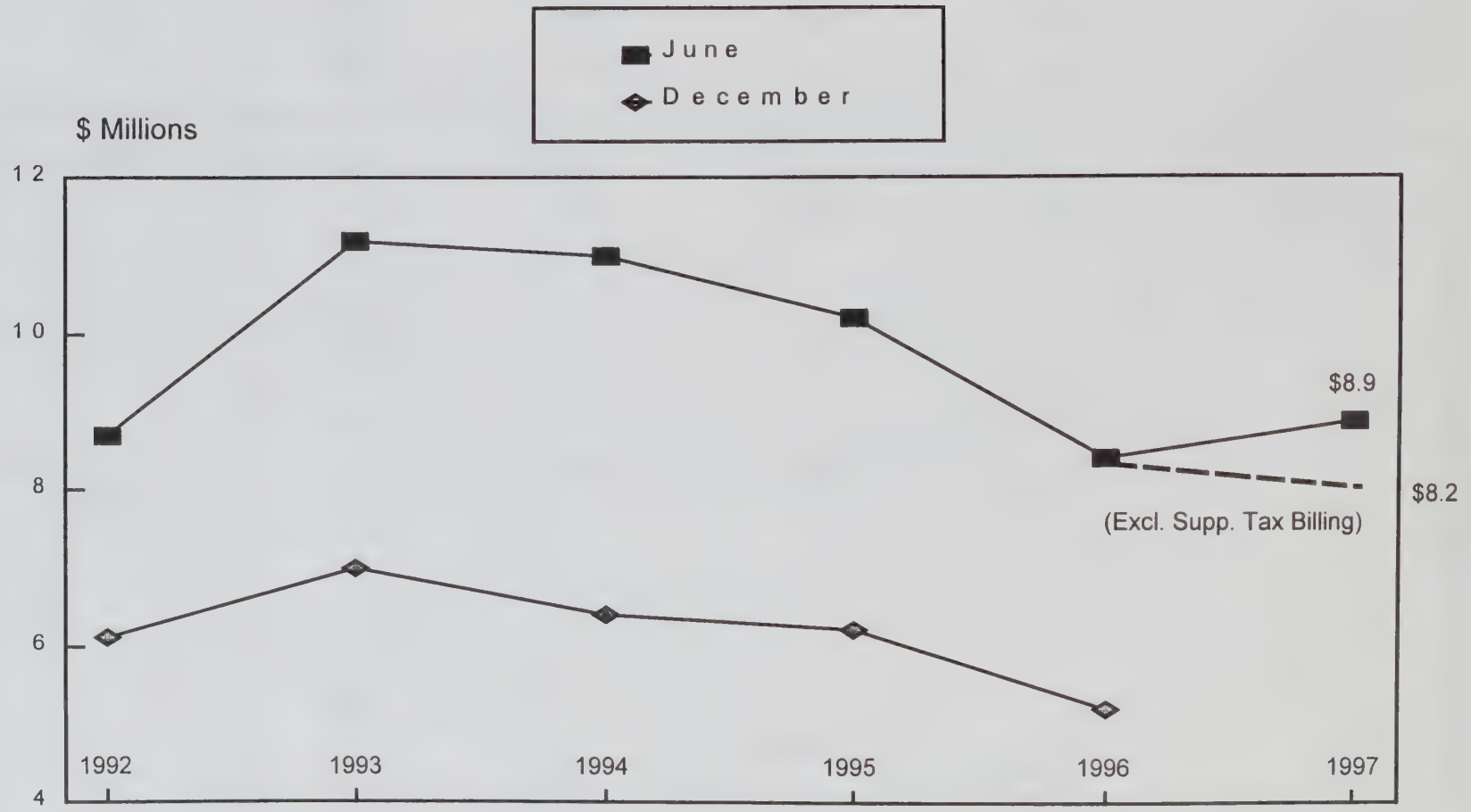
REALTY TAX ARREARS 1992 - 1997



JUNE	$62.0	$74.5	$78.3	$77.5	$78.1	$71.3
DECEMBER	$49.5	$57.2	$59.5	$59.6	$55.3	
% INC. YR. OVER YR.	21.3	15.7	3.9	0.2	-7.1	

THE CORPORATION OF THE CITY OF HAMILTON

BUSINESS TAX ARREARS 1992 - 1997

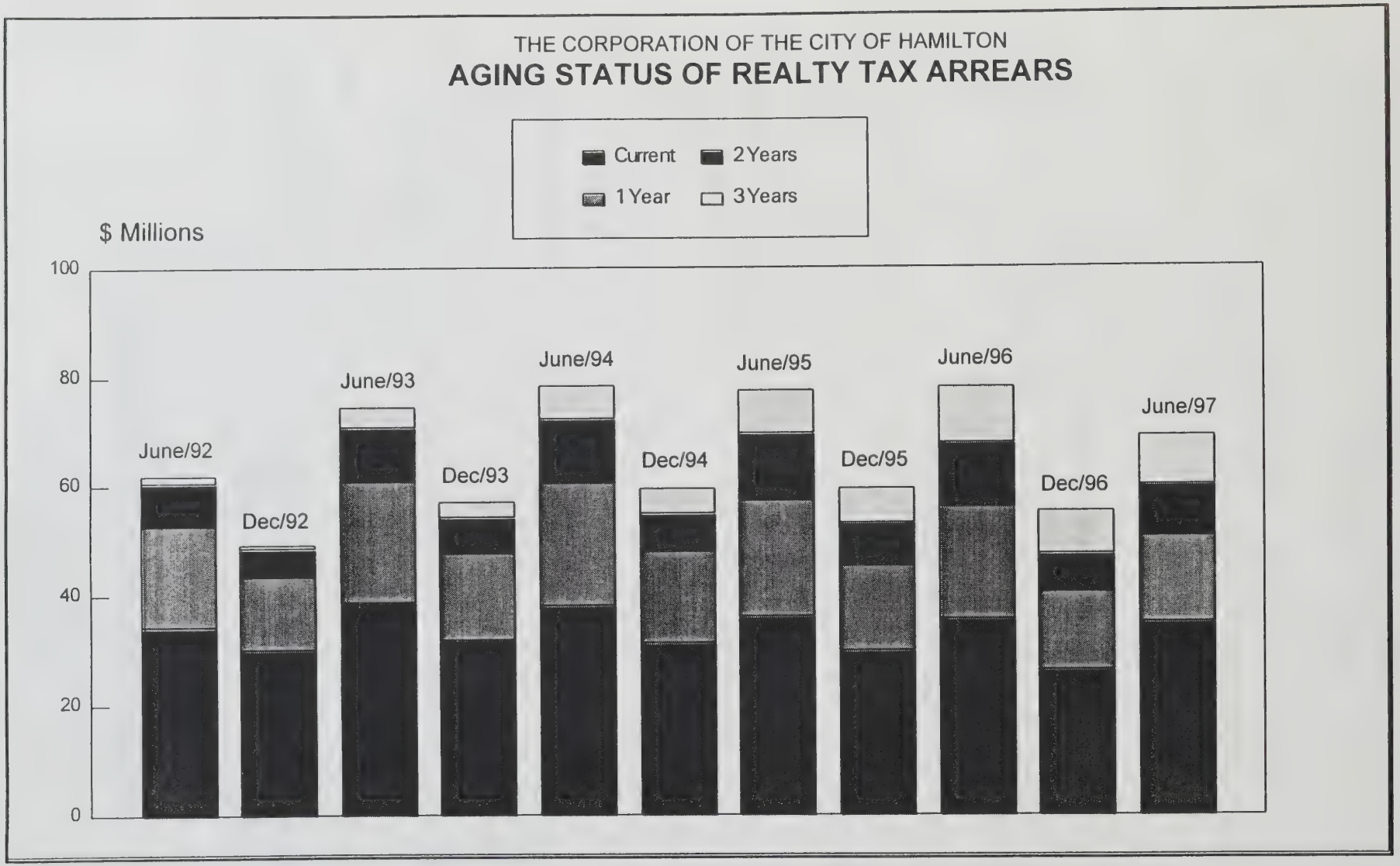


JUNE	$8.7	$11.2	$11.0	$10.2	$8.4	$8.9 *
DECEMBER	$6.1	$7.0	$6.4	$6.2	$5.2	
% INC. YR. OVER YR.	45.2	14.7	-8.8	-2.7	-15.8	

* *Includes supplementary billing of approximately $730,000. Supplementary tax billing was not made in June of previous year.*

THE CORPORATION OF THE CITY OF HAMILTON

AGING STATUS OF REALTY TAX ARREARS



	June/92	Dec/92	June/93	Dec/93	June/94	Dec/94	June/95	Dec/95	June/96	Dec/96	June/97
Total Aging	$62.0	$49.5	$74.5	$57.2	$78.3	$59.5	$77.5	$59.5	$78.1	$55.3	$71.3
3 Years	$1.2	$0.8	$3.6	$2.8	$5.9	$4.5	$7.7	$6.4	$10.2	$7.7	$9.8
2 Years	$7.8	$5.0	$10.0	$6.4	$11.7	$6.9	$12.4	$7.5	$11.5	$7.0	$9.7
1 Year	$18.7	$13.3	$22.0	$16.0	$22.3	$16.7	$21.1	$15.7	$20.8	$14.2	$16.7
Current	$34.3	$30.4	$38.9	$32.0	$38.4	$31.4	$36.3	$29.9	$35.6	$26.4	$35.1

City of Hamilton
Treasury Department

Exhibit "D"

COMPOSITION OF REALTY TAX ARREARS
AS AT July 31, 1997

$ in Arrears Range	Number of Properties	% of Properties	Total $ Arrears	% of of Arrears
$0 - $10,000	13,082	94.2%	$25,952,440	41.9%
$10,000 - $20,000	437	3.2%	$5,768,523	9.3%
$20,000 - $50,000	217	1.6%	$6,748,382	10.9%
Over $50,000	145	1.0%	$23,410,252	37.9%
TOTALS	**13,881**	**100.0%**	**$61,879,597** *	**100.0%**

Property Description				
Residential (Est) Single Detached, Condos, Townhouses, Link Homes, Semi-Detached, Vacant Land	11,873	85.5%	$26,450,278	42.8%
Multi-Residential, Commercial, Industrial (Est)	2,008	14.5%	$35,429,319	57.2%
TOTAL	**13,881**	**100.0%**	**$61,879,597** *	**100.0%**

* Does not include monthly automatic payment plan (MAPP) monies of approximately $5.5M billed but not yet due.

EXHIBIT "E"

CITY OF HAMILTON
TREASURY DEPARTMENT

REALTY TAX COLLECTION PROCEDURES

1. Realty tax instalment bills are forwarded to the owner or agent of each taxable property in the first weeks of February, March, May and September. The taxpayer has the option in February and May of paying two instalments at once thereby taking advantage of a prepayment discount offered by the City. Alternatively the instalment due dates are the last working days of February, March, June and September.

2. Throughout the year any arrears carried forward from previous current year instalments or outstanding balances from previous years are shown on the tax bill as arrears and included in the total amount due.

* 3. Personalized letters from the Treasurer or Tax Collector are forwarded in July of each year to all property owners with outstanding accounts in excess of **$20,000**.

4. In December of each year reminder notices are sent out to the assessed address and the most recent change of address shown on the City's tax records, for all amounts outstanding greater than or equal to $25.

*5. All accounts that will become two years in arrears in January of the following year are sent notices in November of the current year advising of the potential for tax registration procedures on the property.

6. All accounts that will become three years in arrears in January of the following year are sent notices in November of the current year with respect to pending tax registration procedures. The owners are advised to pay that portion of the tax that would become three years in arrears in January.

7. Consideration/use of rent attornment in circumstances where taxes are outstanding and rent continues to be paid to the landlord. **Consider the use of bailiffs for the collection of outstanding realty taxes on accounts on commercial/industrial properties where other collection procedures may not be appropriate or adequate to effect payment of the account.**

8. In January all of those properties that have become three years in arrears and have made no arrangement with the Tax department to remit payment on the account are again notified of the situation. At this point they are advised that the City will proceed to register the property for tax arrears, should no payment be made or arrangement agreed upon.

9. A final notice in the form of a personalized letter from the Treasurer or Tax Collector will be forwarded to the assessed owner prior to the registration of the tax arrears certificate. Prior to the expiration of the one year redemption period, the owner has the opportunity to enter into an "extension agreement" with the City which provides for the payment of all outstanding arrears over a maximum two year period.

10. Once the tax arrears certificate is registered on the property the owner(s) has one full year from date of registration to make payment on the taxes in full. During that year all interested parties as registered on the title of the property, the Sheriff's office and tenants according to the assessment roll are notified of the existing tax arrears certificate on the property.

11. After the one year redemption period expires the file is forwarded to our Law Department to ensure compliance with respect to notification as specified by the act. Once the Law Department verifies that the requirements of the Act have been carried out they advise the Tax section to proceed with the sale of the property.

12. The property is sold and upon completion of the sale the tax arrears are paid from the proceeds and the balance is forwarded to the court. Any balance remaining after the court satisfies any other lien holders on the property can be recovered by the original owner after their application to the court.

* Recommended revisions to collection procedures not implemented to date. Presently being undertaken at $50,000 level.

1997 August 15
TWD:jc

EXHIBIT "F"

CITY OF HAMILTON
TREASURY DEPARTMENT

BUSINESS TAX COLLECTION PROCEDURES

1. During the first weeks of February and May of each year, business tax bills for the pre-levy and levy instalments are forwarded to each business tax account as they appear on the most recently returned assessment roll. These bills are due on the last working day of the month in which they are levied.

2. Staff will attempt to make personal contact by telephone with the business taxpayers having outstanding accounts in excess of $5,000. in an effort to collect these accounts or make satisfactory arrangements.

3. Fifteen days after the due date a "final notice" is forwarded to each business tax account that remains outstanding.* Accounts with prior years' arrears which have been previously assigned to a bailiff or collection agency will not receive a "final" notice. For these accounts, the collection agency will receive an updated accounting of the balances owing and revised warrants will be issued to the bailiffs.

4. **Fifteen days after the "final notice" is issued for the February pre-levy, warrants are issued to the bailiffs for all accounts that are in arrears in excess of $ 2,000**. The** bailiffs will notify the City of any accounts which are out of business in order that staff can take the appropriate action including forwarding the account to the collection agency if further collection action is required.

5. All other accounts that are not paid, confirmed out of business, or have entered into an acceptable payment arrangement are forwarded to the collection agency on the "special program" in the first week of the month following the sending of the "final notice". During the next thirty day period each account on the program receives a notice from the collection agency and are contacted by phone.

6. The outstanding balances from the pre-levy billing are included in the May levy billing and appear as arrears on those bills with a message indicating that arrears are to be paid to the bailiff or the collection agency.

7. A final notice will be issued fifteen days after the levy due date for those accounts with no previous arrears. * A final notice will not be issued to those accounts with outstanding arrears. For those accounts, the collection agency will receive an updated accounting of the balances owing and revised warrants will be issued to the bailiffs.

   Fifteen days after the "final notice" is issued for the May levy, warrants will be produced and issued to the bailiffs for all accounts that are in excess of $ 2,000. The bailiffs will notify the City of out of business accounts in order that staff can take the appropriate action including collection action if appropriate. **The balance of the outstanding accounts which are less than $ 2,000 will be forwarded to the collection agency on the " special program".**

8. Following the July "special program", a reconciliation of accounts collected and outstanding is computed and the outstanding accounts are redirected to the collection agency for regular collection. At this juncture the collection agency works the accounts until:

   a) They are collected.

   b) It is confirmed that the business has ceased operation at this address, thereby requiring a tax appeal.

   c) The agency recommends legal action and requested permission to proceed with same.

   d) Alternate payment arrangements (e.g. post-dated cheque) are agreed.

   e) The agency recommends the account be written off as uncollectible.

9. As accounts are processed through the tax or assessment appeal systems, credits are applied to the accounts in accordance with the direction of the respective authoritative bodies.

10. As they are approved by City Council credits are applied to the accounts for recommended write offs.

* Recommended revisions to collection procedures not implemented to date.
** $2,000 level recommended in separate report.

1997 August 15
TWD:jc

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1997 August 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of The Boarding Up of 127 Burton Avenue

RECOMMENDATION:

That the boarding up of 127 Burton Avenue, at a cost not to exceed $4,200., be financed from the Unclassified Expenditures account CH55134-24201.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Unclassified Expenditures account has sufficient funds to finance this project.

BACKGROUND:

Committee of the Whole at its meeting of 1997 July 24 authorized that RCM Contracting Ltd. be contracted to board up the building at 127 Burton Avenue to prevent access to the building at grade level at a cost not to exceed $4,200., and that the City Treasurer be authorized and directed to find an appropriate funding source.

A separate Information Report before the Finance and Administration Committee indicates that as at 1997 July 31 the Unclassified Expenditures account has expenditures to date of $25,774.31 on an annual budget of $70,000. The status of this account is reported to Committee on a monthly basis.

CITY OF HAMILTON

- RECOMMENDATION -

7.

DATE: 1997 August 13

REPORT TO: S. K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: 1997 Municipal Election - By-laws
- To Submit a Question to the Electors
- To authorize Advanced Voting

RECOMMENDATION:

(a) That, pursuant to the Municipal Election Act, 1996, approval be given to the City Clerk to submit the following Question to the electors on the ballot for the 1997, November Municipal Election;

"Do you agree to a provincially run casino in the City of Hamilton?"; and,

(b) That, pursuant to the Municipal Elections Act, 1996, approval be given to the City Clerk to conduct Advanced Voting for the 1997 Municipal Elections between the hours of 10:00 o'clock a.m. and 8 o'clock p.m. on Saturday, 1997 November 1 and Wednesday, 1997 November 5; and,

(c) That the appropriate By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Municipal Elections Act, 1996 requires Municipalities to enact a By-law authorizing the placing of a Question on the ballot for the 1997 Municipal Elections.
The Act further requires Municipalities to enact a By-law authorizing the holding of Advanced Voting for the 1997 Municipal Elections. The cost for the placing of a Question on the ballot and conducting Advanced Voting has been budgeted for in the overall 1997 Municipal Election budget.

BACKGROUND:

City Council at its meeting held 1996 October 8 requested that a Question regarding the location of a provincially run casino be placed on the ballot for the next General Municipal Election. Legislation contained in the Municipal Elections Act, 1996 requires that Municipalities enact a By-law authorizing the placing of a Question on the ballot for the 1997 Municipal Election. The attached By-law conforms with the requirements of The Municipal Elections Act, 1996 and will allow the City of Hamilton to place the Question "Do you agree to a provincially run casino in the City of Hamilton?" on the ballot for the November Municipal Election.

In addition, Legislation contained in the Municipal Elections Act, 1996 requires that Municipalities enact a By-law authorizing the holding of Advanced Voting for the 1997 Municipal Election. This is the first time this has been required. Advanced Voting is proposed to take place between the hours of 10 a.m. and 8 p.m. on Saturday, 1997 November 1 and Wednesday 1997 November 5. The attached By-law conforms with the requirements of The Municipal Elections Act and will allow the City of Hamilton to provide Advanced Voting for its electorate.

attach.

c.c. Patrice Noé Johnson, City Solicitor, Law Department

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

Respecting:

MUNICIPAL ELECTION MATTERS

WHEREAS Section 8 of the Municipal Elections Act, 1996 authorizes a municipality to pass a by-law to submit a question not otherwise authorized by law, but within the Council's jurisdiction to its electors;

AND WHEREAS Section 43 of the Act authorizes a Council to establish the times and dates for advance polls;

AND WHEREAS on October 8, 1996, Council requested a question regarding the location of a provincially run casino be placed on the ballot for the next General Municipal Election.

AND WHEREAS City Council, on (specify), in adopting Section (specify) of the (specify) Report of the (specify) Committee, authorized (specify).

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The following question is authorized to be placed on the ballot for the November 10, 1997 Municipal General Election:

   "Do you agree to a provincially run casino in the City of Hamilton?"

2. (1) The advance poll voting dates shall be November 1, 1997 and November 5, 1997.

   (2) The advance polls shall be open from 10:00 a.m. to 8:00 p.m. on each advance polling day.

PASSED this day of , 1997.

CITY CLERK MAYOR

CITY OF HAMILTON
- RECOMMENDATION -

8.(a.)

DATE: 1997 August 08

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo, Commissioner
Department of Public Works & Traffic

SUBJECT: Staffing - Parks Maintenance Section

RECOMMENDATION:

a) That the staffing complement in the Department of Public Works and Traffic - Parks Maintenance Section be adjusted by deleting 1 F.T.E. Sports Groundskeeper II and that the staffing complement in the Department of Public Works and Traffic, Parks Maintenance Section, be adjusted by adding 1 F.T.E. Tractor Operator.

	Delete	Add
Sports Groundskeeper II	1	
Tractor Operator	—	1
	1	1

Total change in complement: NIL

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective this change in position will result in a minor increase cost. The Sports Groundskeeper II is rated at DIOA, $16.6310 and the Tractor Operator is rated at D12B, $16.9820. This increase will be covered by the current operating budget.

From a staffing perspective the total complement of the Parks Maintenance Section remains unchanged.

There are no legal implications.

BACKGROUND:

A complement change in the Parks Maintenance Section is the result of a recent retirement of a Sports Groundskeeper II. Due to current operational needs it is being requested that the Sports Groundskeeper II position be changed to a Tractor Operator position.

PSU:bg
cc: Human Resources Centre
Mr. R. W. Chrystian, Manager of Parks
Mr. W. J. Plessl, Co-ordinator of Park Development & Maintenance

HAMILTON PUBLIC LIBRARY

55 YORK BOULEVARD
PO BOX 2700 STN LCD 1
HAMILTON , ON L8N 4E4

Envoy Address: HAM. PUB. LIB.
Tel: (905) 546-3200, Fax (905) 546-3202

9. (a.)

To: Mr. Joe Schatz

From: Trudi Down, Chairman
Hamilton Public Library Board

Re: Library Governance

Date: July 11, 1997

The Hamilton Public Library Board has prepared the attached report to alert City Council members about the changes to the provincial Libraries Act with regards to library governance, and to offer our comments and suggestions on this issue.

We request that this report be submitted to the Finance and Administration Committee for consideration of our recommendations in anticipation of the changes to the Public Libraries Act (Bill 109). If additional information or clarification is required, please do not hesitate to contact myself or Mr. Ken Roberts.

The Board's Library Governance Sub-Committee is available to assist Council members in formulating a by -law which will ensure that Hamilton's library system continues to have a committed volunteer-based Board of trustees.

cc: Alderman Tom Jackson
Alderman Dave Wilson

HAMILTON PUBLIC LIBRARY

55 YORK BOULEVARD
PO BOX 2700 STN LCD 1
HAMILTON , ON L8N 4E4

Envoy Address: HAM. PUB. LIB.
Tel: (905) 546-3200, Fax (905) 546-3202

A Report to Hamilton City Council concerning the Public Libraries Act
From: Hamilton Public Library Board
Date: June 1997

The Hamilton Public Library Board recognizes the diligence with which past municipal councils have selected qualified and interested citizens to sit on the Board. In recent times, the HPL Boards have played a leading role in developing effective public library service in our community. Because of sustained funding from the city over the years, the Hamilton public library system today comprises a large main library offering a wide variety of resources and 9 branches that provide community-based services to almost every sector of the city.

The Hamilton Public Library Board has traditionally included a majority of citizen appointees, all of whom serve the three-year term in a voluntary capacity.

With the passing of the new Public Libraries Act, municipal councils have to develop a by-law outlining how they will select library board members. While the act specifies that a public library must be run by a board, it no longer sets the guidelines for appointments, qualifications, number of members, etc.

According to the Act, a library board can be either an appointed citizen board or a committee of council. We strongly recommend the appointment of a board comprised of a majority of citizen volunteers for the following reasons:

- publicly-funded institutions should have citizen input
- citizen appointees to the library board are typically library users who are interested in the needs of the library and the community.
- library boards represent the community interests and give the public more control over library operations
- volunteer library trustees are enthusiastic library advocates
- the presence of a citizen majority on a library board enables public libraries to be seen by users as independent from municipal government while at the same time being funded by municipal government
- library boards are trusted to collect and present information in an unbiased way
- intellectual freedom is best protected when it is at arm's length from direct political pressure; library boards have proven to be effective buffers between politicians and special interest groups

We believe that the tradition of having a library board comprised of volunteer citizen appointees has served both City Council and the Hamilton community well. Through the years, the Hamilton Public Library Board has been a good steward of the monies it receives from the City. Strict accountability has always been maintained through the budget-setting process, via annual audited statements, and through the Council representatives who sit on the Board.

We respectfully submit the following guidelines for the continuation of a volunteer citizen library board:

*Size of the Board:	a maximum of 15, a minimum of 9
*Composition:	a majority should be citizen appointments two city councillors retain in some form the representation from the education community
*Qualifications:	the current standards used by the City for filling other board positions should apply
*Term:	a three-year term which is concurrent with the term of the appointing council (Please see note below)
*Reappointment:	the City's current rules for reappointment to citizen boards should apply
*Vacancies:	the current procedures for filling vacancies on citizen boards should apply
*Disqualifications:	as per standard City policy
*Expenses:	City policy for reimbursement of expenses by citizen board members should apply

Other Regulations:

The By-Laws of the Hamilton Public Library Board cover the rules for first meeting, selecting a Chairman, the holding of regular meetings and special meetings, quorum, voting procedures, etc.

Additional Comments:
We would have recommended staggered terms for board members but this is disallowed by the Public Libraries Act. We also request that the City's 2-term limit be considered a guideline only.

Thank you for taking the time to consider this report.

Hamilton Public Library Board

Mandate:

The Hamilton Public Library Board seeks and provides, in co-operation with other boards, a comprehensive and efficient public library service that reflects the community's unique needs.

Legislation establishing Board:

Section 3. (1) (3) of the Public Libraries Act, 1984 states as follows:

> 3. (1) The Council of a Municipality and the trustees of an improvement district may by by-law establish a public library.
>
> (3) A public library shall be under the management and control of a board, which is a corporation known as "The (insert name of municipality) Public Library Board".

Section 9. (2) and (3) of the Public Libraries Act, 1984 provide for the composition of the Board as follows:

> 9. (2) A public library board for a municipality whose population is 100,000 or more shall be composed of at least nine and no more than fifteen members appointed by the municipal council.
>
> (3) In the case of a public library board for a municipality whose population is 10,000 or more, school boards with jurisdiction in the municipality shall be represented on the public library board in the following manner:
>
> 1. Two of the members of the public library board shall be persons recommended by the board of education and one member shall be a person recommended by the separate school board, if any, unless paragraph 2 applies.
>
> 2. If separate school electors are a majority of electors in the municipality, two of the members of the public library board shall be persons recommended by the separate school board and one member shall be a person recommended by the board of education.

Section 10 (2) (a) of the Public Libraries Act, 1984 provides for the appointment of Members of Council to the Board as follows:

10. 2. The appointing Council shall not appoint more of its own members to a board than the number that is,

(a) in the case of public library board or union board, one less than a majority of the board; and,

City Council at its meeting held 1985 adopted Section 6 of the SIXTEENTH Report of the Legislation Committee for 1985 which reads as follows:

6. That the Hamilton Public Library Board be composed of eleven members appointed by City Council with the following representation:

a) One member to be recommended by the Hamilton-Wentworth School Board.*

b) Two Members recommended by the Hamilton Board of Education.*

c) Two Aldermen.

d) Six residents of Hamilton.

* City Council at its meeting held 1996 October 29 adopted Section 12 of the SEVENTEENTH Report of the Finance and Administration Committee for 1996 as follows:

12. That the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board be requested to provide the City with a list of nominee recommendations for the City's consideration in appointing School Board representatives to the Hamilton Public Library Board.

Section 10 (1) of the Public Libraries Act, 1984 provides the qualifications of board members as follows:

10. (1) A person is qualified to be appointed as a member of a board who is a member of the appointing council or,

(a) is at least eighteen years old;

(b) is a Canadian citizen;

(c) is,

(i) in the case of a public library board, a resident of the municipality for which the board is established, or is a resident of a municipality or of the board area of a local service board or a member of an Indian band that has a contract with the bard under section 29.

(d) is not employed by the board or by the municipality or county or, in the case of a union board, by any of the affected municipalities.

Current Membership:

Trudi Down, Chairperson	Term expires 1997 November 30
Alderman Dave Wilson	Term expires 1997 November 30
Alderman Tom Jackson	Term expires 1997 November 30
Peter Burns	Term expires 1997 November 30
**Vincent Curtis	Term expires 1997 November 30
*Ram Mulki Kamath	Term expires 1997 November 30
*Archie J. McQueen	Term expires 1997 November 30
Peter Mitchell	Term expires 1997 November 30
D. (Manohar) R. Ogale	Term expires 1997 November 30
Dawna Petsche-Wark	Term expires 1997 November 30
Peter Rogers	Term expires 1997 November 30

* Hamilton Board of Education Appointee
** Separate School Board Appointee

Ken Roberts, C.E.0./Secretary (546-3214)

Meets on the first and third Wednesdays of each month at 6:00 p.m.

Appointment of Members:

The Members that are Members of City Council are appointed when Council meets as the Nominating Committee at the Inaugural Meeting, the first meeting after the new Council has been elected.

Citizen Members vacancies are advertised and applicants must attend mandatory Orientation Sessions. Applicants are then interviewed by the Selection Committee who makes its recommendation for appointment to the Nominating Committee.

For the two Hamilton Board of Education nominees and the one Separate School Board nominee, the City will receive letters from the respective Boards who will provide a list of nominee recommendations. The names of the Nominees are then forwarded to the Nominating Committee for consideration and appointment.

The terms of office for all Members of the Hamilton Public Library Board are for a three year term, concurrent with the term of the appointing council, or until a successor is appointed, and may be reappointed for one or more further terms (Section 10 (3) of the Public Libraries Act, 1984.)

1996 November 13

9. (b.)

BUILDING DEPARTMENT

MEMORANDUM

****

TO:	Susan K. Reeder, Secretary Finance and Administration Committee City Clerk's Department	YOUR FILE:	
FROM:	Peter C. Lampman, P.Eng. Director of Technical Services and Deputy Building Commissioner	OUR FILE: PHONE:	 546-4653
SUBJECT:	**5% LAND DEDICATION** **771 LIMERIDGE RD E - COMLEY ELEMENTARY SCHOOL**	DATE:	August 5, 1997

The attached correspondence was received by this Department respecting the refund of 5% land dedication fees. Refunds were only given to those properties which met the criteria established by Council resolution 1996 October 8 (attached).

As the project mentioned in the letter failed the criteria, the correspondence has been forwarded to you for placement at the next Finance and Administration meeting.

PCL/dm
Encls.

C:\W\STORAGE\DEBORA\REEDER.MEM

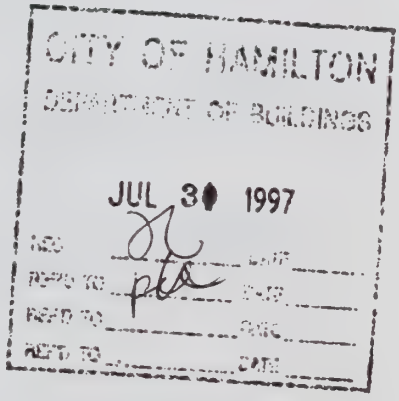
PLANNING & ENGINEERING INITIATIVES L

379 Queen Street South
Kitchener, Ontario N2G 1W6
Tel. (519) 745-9455 Fax (519) 745-7647
e-mail: kitchener@peinitiatives.on.ca

69 John Street South, Suite #200
Hamilton, Ontario L8N 2B9
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e-mail: hamilton@peinitiatives.on.ca

PLANNERS
CONSULTING
ENGINEERS &
LANDSCAPE
ARCHITECTS

July 30, 1997



City of Hamilton
Building Department
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Mr. Peter Lampman, P.Eng.

Dear Sir:

RE: PARK DEDICATION CREDIT
OCTOBER 1996 COUNCIL RESOLUTION
771 LIMERIDGE ROAD EAST - COMLEY ELEMENTARY SCHOOL

We act on behalf of Diman Properties Inc., the developers who have purchased the lands at 771 Limeridge Road East. The lands were purchased in the Spring of 1997 and the intention was to take full advantage of a park dedication credit passed by Council in 1996.

Unfortunately, due to the complexity of the development relating to the lotting fabric resulting from public input and further to our liaison with the local Councillors, we were unable to finalize the severance in time in order to take full advantage of the credit. We would ask that the Building Department consider the timing of the application and specifically, the nature of the development and ask that Building Department grandfather the credit for this particular development.

The developer plans to demolish the existing elementary school and create 16 single family lots. We would hope that the redevelopment of the site would justify applied credits in some manner, particularly since it will be generating 16 new development charge levies from an existing developed parcel.

Paul Puopolo, MA, MCIP, RPP
OALA, President

John Ariens, MCIP, RPP

Steve Brown, MBA, P. Eng.

Mark Dykstra, B.L., Arch.

John Kerr, P. Eng.

Scott Llewellyn, P. Eng.

Sergio Manchia, MCIP, RPP

John Perks, MBA, P. Eng.

David Sisco, B.A.

Don Stewart, MES, MCIP, RPP

Tim Zavitsky, P. Eng.

Associates:

A.G. (Sandy) McLellan, Ph.D
Jonathan Price, Ph.D
Barry Warner, Ph.D

Should the Building Department feel that the application can not warrant a decision by the Building Department, we would ask that you please forward this matter to the appropriate committee for review and that we be present as a delegation.

Thank you for your time. Should you have any questions or concerns please do not hesitate to contact the undersigned.

Yours truly,
PLANNING & ENGINEERING INITIATIVES LTD.

Sergio Manchia, MCIP, RPP
Senior Planner

SM/lh

cc: C. DiMondo - Diman Properties Inc.
A. DiCenzo, DiCenzo and Associates

MOVED BY: ALDERMAN .....

SECONDED BY: ALDERMAN .....

RESOLVED:

That Section 11 of the Thirteenth Report for 1996 of the Finance and Administration Committee approved by City Council at its meeting held Tuesday, 1996 July 9, respecting the 5% Land Dedication, reading as follows, be now reconsidered.

"11. (a) That the City Solicitor be authorized and directed to prepare an amendment to By-law No. 84-252 to allow land to be developed for the purpose of a single family dwelling where land in the amount equal to 5% of the area to be developed, or cash equivalent, has not been conveyed to the City where the building permit has been applied for between 1996 July 10 and 1997 July 11 and the building permit has been issued by 1997 August 1; and,

(b) That the Building Commissioner be authorized and directed to refund to the building permit applicant the equivalent to the 5% land dedication collected by the City under Section 51.1 and 53 of The Planning Act, if

(i) the lot being developed is in a plan of subdivision registered before 1997 July 11; and,

(ii) the building permit is applied for between 1996 July 10 and 1997 July 11; and,

(iii) the building permit is actually issued by the close of business day of the Building Department on 1997 August 1; and,

(iv) the proposed building is only a detached single family dwelling as defined by Zoning By-law No. 6593."

MOVED BY: **ALDERMAN** .....

SECONDED BY: **ALDERMAN** .....

RESOLVED:

a) That Section 11 of the THIRTEENTH Report of the FINANCE AND ADMINISTRATION Committee for 1996 be referred to a Special Committee of the Whole Meeting to be held prior to the next regular meeting of City Council Scheduled for 1996 October 29; and,

b) That staff be directed to provide a report at the special Committee of the Whole Meeting on the impact of the 5% Land Dedication Policy to date as well as potential future impacts.

10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Building Commissioner

SUBJECT: 5% Land Dedication - Ridgeview Estates Phase 3
Lots 1 - 14 (97.2.4.2.1.A, 97.4.4.3)

RECOMMENDATION:

That the Building Commissioner be authorized and directed to refund to the applicant, Valery Construction Limited, the equivalent to the 5% land dedication collected by the City of Hamilton under Section 51.1 and 53 of The Planning Act for Lots 1 - 14 in Ridgeview Estates Phase 3 in the amount of $16,100.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

That 5% Land Dedication for the above-noted fourteen lots will be refunded in the amount of $16,100.

BACKGROUND:

City Council at its meeting of 1996 July 9 approved Section 11 of the Thirteenth Report for 1996 of the Finance and Administration Committee as follows:

11 (a) That the City Solicitor be authorized and directed to prepare an amendment to By-law No. 84-252 to allow land to be developed for the purpose of a single family dwelling where land in the amount equal to 5% of the area to be developed, or cash equivalent, has not been conveyed to the City where the building permit has been applied for between 1996 July 10 and 1997 July 11 and the building permit has been issued by 1997 August 1; and,

(b) That the Building Commissioner be authorized and directed to refund to the building permit applicant the equivalent to the 5% land dedication collected by the City under Section 51.1 and 53 of The Planning Act, if

(i) the lot being developed is in a plan of subdivision registered before 1997 July 11; and,

(ii) the building permit is applied for between 1996 July 10 and 1997 July 11; and,

(iii) the building permit is actually issued by the close of business day of the Building Department on 1997 August 1; and,

(iv) the proposed building is only a detached single family dwelling as defined by Zoning By-law #6593.

The applications for building permits were received for Lots 1 - 14 on 1997 June 30 which complies with the above-noted policy of Council. City and Regional Development Charges for all fourteen lots were received on 1997 July 31 in the amount of $96,838.28.

The Subdivision Agreement was registered on 1997 July 31, which does not meet the requirement of Council that it be registered prior to 1997 July 11, and this Department on 1997 August 13 received from the Registry Office a copy of the registered plan of subdivision. The building permits are now being issued as they are being processed. At this point in time, four building permits have already been issued.

LCK/dm

c.c. Mr. Allan C. Ross, Treasurer

11.0

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: S.K. Reeder Secretary
Finance and Administration Committee
City Clerk's Department

YOUR FILE:

FROM: J. J. Schatz
City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: **Correspondence to Council from Terry Cooke, Regional Chairman Regarding Revised "Who Does What" Fiscal Transfers**

DATE: 1997 July 9

Council, at its meeting of 1997 July 8 received and referred to the Finance and Administration Committee the above-noted correspondence attached hereto.

JJS/TA/jt

cc: Allan Ross, Treasurer

THE REGIONAL MUNICIPALITY
OF HAMILTON - WENTWORTH

Office of the Chairman

July, 1997

Open Letter to Ontario Municipal Leaders:

Re: Revised "Who Does What" fiscal transfers

At its meeting on June 16, 1997, Hamilton-Wentworth Regional Council adopted the recommendations summarized in the attached staff report, prepared by the Region's Chief Administrative Officer and Finance Commissioner, with the collaboration of the Treasurers of our Area Municipalities. The position complemented an earlier resolution adopted by Regional Council on May 20, 1997, which appears on the first page of the attachment. **We urge you to review the policy recommendations contained in the report (Appendix 2) and to consider taking a public position on these crucial issues, either individually or through a resolution of your municipal council.**

Some of the Province's reforms aimed at disentangling municipal and provincial responsibilities are long overdue and deserve our support. It is clear, however, that others threaten the economic health and quality of life of many Ontario municipalities.

Earlier this year, Hamilton Mayor Robert Morrow and I hosted an emergency meeting of the Mayors, Regional Chairs and Council members from a variety of municipalities that were severely affected by the original fiscal proposals put forward by the Province. The Province's revised proposals are more sustainable for the municipal sector as a whole, however, the remaining effect is in no way fiscally "neutral". The enduring problem with the Province's revised proposals is the dramatically different impact the reforms will have on different parts of Ontario; in a few instances, the revisions appear to make those inequities even worse. Certain types of municipalities will be forced to assume an inappropriate allocation of costs that should be borne by the Province and by the municipal sector as a whole.

Calculating the exact impact of the new proposals to our constituents is difficult in the absence of reliable financial data from the Province. Too many unknowns remain for all municipalities, especially on the "revenue" side of the ledger: the "school tax" revenues from both residential and non-residential assessment; the impact of "actual value assessment", particularly for municipalities with out-of-date assessment bases; the re-financing of the business occupancy tax; and, the "ranges" to be prescribed for variable mill rates for different classes of property.

It seems clear, however, that given reasonable assumptions, communities with mature urban cores and communities with resource-based or single industry dominated regional economies are going to find themselves in an unequal struggle to support human services and older infrastructure, when compared to those parts of Ontario largely unburdened with these obligations. Clearly, the results are neither fiscally neutral nor will they

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produce promised tax reductions, even after the Government's assumption of education costs from the municipal property tax. In Hamilton-Wentworth, it is estimated that the revised fiscal proposals will cost regional taxpayers $56.9 million. Costs of this magnitude are unmanageable in budgetary terms - even with the most aggressive approach to budgeting and service restructuring.

As you know, the Government of Ontario has established two Transition Teams and a number of consultative bodies to provide policy advice on implementing "Who Does What" programme and fiscal changes. Municipal representatives have been appointed to the teams. Staff from the Province, AMO and the municipal sector have been recruited to assist.

Regardless of your response to the specific position adopted by Hamilton-Wentworth Regional Council, we must have an informed public debate on these issues among all those affected. Hamilton-Wentworth Regional Council will be making its views known to the Transition Teams, to the appropriate Ministers and to area MPPs. I hope you will do likewise and I would appreciate receiving copies of any correspondence that you may send to the Government of Ontario or AMO.

Sincerely,

Terry Cooke
Regional Chairman

cc: Mayor Robert Morrow, City of Hamilton
Mayor Robert Wade, Town of Ancaster
Mayor John Addison, Town of Dundas
Mayor Ted McMeekin, Town of Flamborough
Mayor Glen Etherington, Township of Glanbrook
Mayor Anne Bain, City of Stoney Creek
Members of the Ontario Legislature for Hamilton-Wentworth and Bay Area
Mr. Ernie Hardeman, MPP
Mr. Jack Carroll, MPP
AMO President Terry Mundell
Michael Fenn, Chief Administrative Officer

REGION OF HAMILTON-WENTWORTH

- RECOMMENDATION -

DATE: 1997 June 4

REPORT TO: Chairman and Members
Finance Committee

FROM: Jim Bruzzese
Acting Treasurer and Commissioner of Finance

SUBJECT: **Response to Provincial Announcement Update - May 1, 1997 (FIN 97-054)**

RECOMMENDATION:

That the attached report (Appendix 2) entitled "Submission to Province of Ontario from the Region of Hamilton-Wentworth", authored by the Region and the Area Municipalities, be submitted to the Province for consideration.

Jim Bruzzese

BACKGROUND:

On May 1, 1997 the Province announced that it would change its plans in favour of an option put forth by the Association of Municipalities of Ontario. An information report - "Provincial Announcement Update - May 1, 1997 " (FIN 97-047) was presented to Regional Council on May 6, 1997. This report contained highlights of the major changes from the previous announcements and the revised financial impact to Hamilton-Wentworth of **$56.9 - $82.4 million** from $113.6 million - $139.1 million (See Appendix 1 for Impact Summary).

On May 20, 1997 the following Council Resolution was approved

"That a joint all inclusive report be authored by the Region and Area Municipalities responding to the Provincial Announcement Update - May 1, 1997;

That staff be authorized and directed to consult with and seek out collaboration with other Municipalities who have been equally or hardest hit by the Provincial Announcements;

That the authorization be broad enough for the Regional Chairman and Mayors of the Area Municipalities to arrange meetings and prepare the appropriate/necessary resolutions for Regional Council's consideration."

In response to Council direction, a meeting was held with the Area Treasurers to review the projected financial impact and discuss policy considerations and recommendations for submission to the Province of Ontario. The attached report entitled "Submission to the Province of Ontario from the Region of Hamilton-Wentworth" represents the collaborative view of the Region and the Municipalities.

Although the recent announcements represents an improvement, the Province is still proposing to fund a portion of General Welfare Program/Family Benefits, Social Housing, and Health care costs from the Property Tax base and therefore has not "disentangled" Provincial and Municipal responsibilities in all areas. The revised plan is still neither fiscally neutral nor equitable in application across Ontario. In addition, elimination of the Farm Tax Rebate, previously paid by the Province, will result in hardship for the Region's rural municipalities and may cause significant property tax increases (Flamborough, Glanbrook). The total impact of this is estimated to be approximately $4 million (based on actual amounts paid by the Province in 1995).

Fiscal Neutrality

The Province continues to claim a "neutral financial impact" position of the changes to the Province. However, a review of the financial summary provided by the Province shows inclusion of $570 million (Community Reinvestment Fund - CRF) used to balance the equation. This clearly implies that once additional funding is no longer available, the plan will not be "financially neutral." In addition, an impact analysis of the various Regions prepared by the City of Toronto for the Large Urban Mayor's Group, showed an overall negative impact of approximately $670 million (with CRF) - $1.2 billion dollars (without CRF).

It is proposed that the Province be requested to demonstrate how the plan is "financial neutral" to ensure integrity by providing detailed impact analysis by Region and Areas. It is further proposed that the joint Provincial/Municipal "Transition Teams" address the issues of fiscal neutrality, inequitable impact among regions, and preserving Provincial responsibility for programs and fiscal burdens that are properly the responsibility of the Government of Ontario and the Government of Canada.

Staff Support

It is further proposed that staff from the Area Municipalities and the Region be encouraged to provide any technical information or policy advice requested by the municipal elected representatives on the Transition Teams, or by AMO, or the Staff Support Group to further the objectives cited in this report.

IMPACT OF PROVINCIAL PLAN

	INITIAL PLAN (Jan 31 Estimate) (in $ Millions)	REVISED PLAN (May 1 Estimate) (in $ Millions)
SOCIAL SERVICES		
GWA	$33.5	$0.0
FBA	97.0	39.5
Drug Benefit Plan	7.6	3.0
Child Care	8.4	1.9
Other Long Term Care	41.0	0.0
Other Social Services	5.4	(3.4)
Sub–Total	192.9	41.0
PUBLIC HOUSING		
Housing	40.0 – 58.0	40.0 – 58.0
Sub–Total	40.0 – 58.0	40.0 – 58.0
PUBLIC HEALTH BRANCH		
General Public Health Programs	11.0	11.0
Land Ambulance Services	9.4	9.4
Special Care Homes	0.8	0.0
Sub–Total	21.2	20.4
TRANSPORTATION		
Transit Operating Subsidy	12.2	12.2
Go Transit	7.0 – 10.0	7.0 – 10.0
Transf Prov Hwys (1998)–Oper.	Unknown	Unkown
Sub–Total	19.2 – 22.2	19.2 – 22.2
LIBRARIES	0.8	0.8
ASSESSMENT and PROPERTY TAX		
Assessment Delivery	5.0	5.0
Farm Tax Rebate	4.0	4.0
Gross Receipts Tax	4.5 – 9.0	4.5 – 9.0
Senior/Disabled	Unknown	Unknown
SUB–TOTAL	13.5 – 18.0	13.5 – 18.0
OTHER		
Provincial Offences	(2.0)	(2.0)
Municipal Support Grants	20.0	20.0
SUB–TOTAL	18.0	18.0
TOTAL	$305.6 – $331.1	$152.9 – $178.4
SCHOOL TAXES		
Residential School Taxes Removed	(192.0)	(96.0)
OVERALL IMPACT	$113.6 – $139.1	$56.9 – $82.4

SUBMISSION TO PROVINCE OF ONTARIO FROM THE REGION OF HAMILTON-WENTWORTH

EXECUTIVE SUMMARY - POLICY RECOMMENDATIONS:

1. The Province's decision to fund Social Housing units since the early nineteen fifties was understandably done with little reference to the fiscal resources of municipalities. The locational decisions and funding allocations were largely based on criteria reflecting housing needs, availability of sponsoring organizations and population. It is recommended that the Region's position be to first:

i) Reject the Province's proposal to transfer the responsibility of the Social Housing Program to Municipalities. The rationale being that it is not fundamentally sound and that the property tax base is not the appropriate mechanism to fund a program vulnerable to economic downswings. Failing that;

ii) That property-tax support for the net debt-service costs, rent supplements and other operating costs of Social Housing be pooled in some fashion, and reallocated using a Province-wide or other broad-based financial-support formula that reflects population and need, rather than simply physical location. This would ensure an more equitable distribution of costs.

2. It is further recommended that the Province be specifically committed, in statute, to assuming the cost of GWA/FBA payments to "employables" in any community within which the number of such cases exceeds a set percentage of the regional population. In this way, local communities assume responsibility for the disadvantaged within their communities, but the Province assumes its proper responsibility for managing the economic performance of the Provincial economy and the associated cost of the so-called "Social Safety Net".

3. To deal with the evident inequities in the existing fiscal arrangements, we would recommend that the 20% cost of "unemployables" on the FBA/GWA rolls remain a municipal responsibility, as proposed, but that the cost of this caseload be shared by all municipalities on a per capita of municipal population basis. This will ensure that areas with relatively low caseloads have an opportunity to pay the cost of this caseload, without having to bear the burden of managing the caseload. It would also help to redress the imbalance in the revenue-generating capacity, where suburban and non-metropolitan areas with a high proportion of residential assessment and a high proportion of school board levy on their residential property tax bill enjoy significant advantages.

4. In areas where delegation of program and fiscal responsibility is to occur under the Province's revised proposals (including transit and public health), the Province should refrain from imposing "unfunded mandates" in the form of unsubsidized Provincial programs or standards. The Province should also fund matters of broader Provincial interest or responsibility (such as the full program cost of immunization, teaching health units, province-wide public health computer systems, elements of GO Transit operations, and so on).

PROTECTING MAJOR URBAN CENTRES
UNDER "WHO DOES WHAT" FISCAL REFORM:

Under the AMO proposal, as modified by the Province, 20% of the cost of "welfare" will be paid by the municipality in which the recipient lives, whether the recipients are currently paid under the 20%-municipally-supported General Welfare Assistance Program (GWA), or paid under the Province's Family Benefits Allowance Program (FBA). This arrangement simply adds 20% of the cost of FBA to the welfare budget of municipalities currently responsible for GWA. It is better than the original proposal, which would have added 50% of the cost of FBA, plus a further 30% of the cost of GWA. (Welfare administration costs will be funded 50% by the Province).

The revenues to support these and other new financial responsibilities are to come from giving municipalities the opportunity to "capture" a portion of the residential property tax dollar that used to go to the public and separate school boards. The original proposal called for all of the residential school board tax "room" to be available to municipal government; under the AMO/Province proposal, only half the school portion of the residential property tax is available to municipalities, with the other fifty percent being left with the school boards and "frozen" at 1997 levels. Although the Province has reinforced that they will set the Residential Education Tax, they have not yet confirmed that the rates will be consistent for property classes across Ontario.

These program funding and tax changes address some of the concerns of mature urban centres, like Hamilton-Wentworth, since the previous arrangements would have placed greater financial obligations on municipalities for long-term care and welfare; they would also have given newer and more rural centres access to a much greater source of new municipal revenues, since the property tax revenues from residential school board levies approach 70% of the total tax burden in many of those areas (Hamilton-Wentworth is about 50%). Despite these reforms, however, the fiscal exposure for major urban centres remains much greater than for most suburban regions and non-metropolitan centres outside of Northern Ontario. In addition, the net tax impact will still place suburban areas at a marked competitive advantage when commercial/industrial rates are ultimately set in 1998, following the introduction of what is now called "current value assessment".

<u>Policy considerations</u>:

The current GWA and FBA programs will soon cease to exist. In their place will be two new programs with the crucial distinction being that recipients will be classed as "employable" or "unemployable". Until now, the policy considerations underlying the Who Does What exercise have been driven by a desire to sort out the fiscal relationship between the Province and the "municipal sector", with little consideration of the way in which the individual programs will be operated, and with even less consideration of the impact on individual municipalities.

Since some municipalities have welfare caseloads that are four times as great as their neighbouring Regions, allocating the same 20% cost-sharing formula to all municipalities masks the true fiscal impact of changes that are said to be "fiscally neutral" across the municipal sector. The same can be said for the social housing portfolio, especially when one excludes the relatively newer and less costly component of seniors' housing from the social housing stock in municipalities across Ontario. Social housing for families and individuals is disproportionately within mature urban centres. At the same time, in suburban and non-metropolitan centres, social housing units, as well as community health and social services programs, are often more readily available, with strong community support, more adequate resources and with a cost-structure that compares favourably with urban centres.

Progressive Policy Objectives:

If we are to avoid a further "ghetto-izing" of the poor, especially the unemployed and the disabled, we must challenge fiscal arrangements that will reinforce the outdated notion that the unemployed and those in need of chronic health care should concentrate in Ontario's major cities.

To the extent that the economy is creating semi-skilled and entry-level employment of potential benefit to "employables" on public assistance, many of those jobs are in areas where newer communities are growing and newer businesses establishing themselves. It only makes sense to promote the maintenance of a labour market adjacent to those jobs, rather than encouraging the unemployed to move away to "the city", simply to take advantage of more accessible social services and more available public housing.

Likewise, with the de-institutionalization of health care and the reintroduction of patients back "into the community", community-based health services (in local communities across Ontario) are going to be taking the place of traditional institutional providers of services to those with chronic physical and mental health disabilities. It makes a great deal of sense to avoid situations where people leave more supportive environments in their home communities and families, and migrate to the anonymity of the city, where sheer volume can overwhelm the resources of local providers and their larger numbers contribute to perceptions of deteriorating quality of life in the urban centre.

Fiscal Implications:

The Who Does What Panel argued that the social and health programs did not belong on the property tax, both because the property tax is a regressive tax, and because the burden of social welfare and long-term health care costs do not fall equitably among municipalities. It would appear that the battle on using the property tax to support some of these services has been lost, at least for now. However, there remains the pressing issue of intermunicipal equity. If all Ontario's municipal taxpayers must support these programs through property tax, then all should share this common burden equally.

Perhaps most crucially, the current arrangements offer no protection for major urban centres against any economic downturns. To ignore this possibility after the longest sustained period of economic and stock market growth in this century is questionable public policy, and should not go unchallenged. When the inevitable downturn in the economic cycle arrives, the public assistance caseloads will rise as surely as the stock market will decline. Under the AMO/Province proposal, most of that burden will fall on communities like Hamilton-Wentworth, Toronto, Ottawa, London and Niagara. We are in no position to use fiscal reserves to cushion the impact if this happens again, since those reserves were spent during the last economic downturn and have not been rebuilt, nor are they likely to be rebuilt in this new fiscal environment.

CITY OF HAMILTON

- RECOMMENDATION -

12.

AUG 11 1997

DATE: 1997 August 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R.L. Fair, Director
Culture & Recreation Department

SUBJECT: Natural Gas Buy/Sell Agreement

RECOMMENDATION:

(a) That the natural gas Agency Agreement between the City of Hamilton and Union Gas Limited be revised to reflect a change from the current Western Buy/Sell Agreement to a Bundled Transportation (Bundled-T) Service Agreement effective 1997 November 1 at no additional cost to the City; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the revised natural gas Agency Agreement between the City and Union Gas Limited in a form satisfactory to the City Solicitor; and

(c) That the City's current supplier of natural gas, Engage Energy Canada L.P., be paid a fee of $0.025/gigajoule (approximately $6,000 per year) beginning 1997 November 1 until the end of the existing term in 1999 October 31 for Energy Management Services to assist the City in managing its natural gas procurement, with said cost to be accounted for within existing energy budgets.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Ontario Energy Board has directed changes effective 1998 January 1 to the method with which natural gas is bought and sold under Buy/Sell Direct Purchase contracts. As a result of this change in policy, it is in the City's best interest to switch from the current Buy/Sell Agreement to a Bundled Transportation Agreement. The attached news letter distributed by Union Gas Limited includes a sample spreadsheet which compares the two Direct Purchase Agreements. After the effective date of the changes, the Bundled-T method of procuring natural gas will provide the most economical means for the City to purchase and transport its natural gas volumes. The revisions in the Agency Agreement between the City and Union Gas will have no effect on the price the City is paying for the gas commodity.

Since the implementation of the Direct Purchase Agreement between the City and Union Gas in 1992, the City's gas volumes were adjusted on an annual basis with the assistance of Union Gas Ltd. The City's gas shortages or surpluses were balanced once per year within 10% of annual consumption. Effective 1997 November 1, the City will be required to balance its annual gas volumes twice per year and within 4% of the total annual consumption. Union Gas will no longer be offering balancing services to its Direct Purchase costumers. The City does not have the staff expertise required to monitor the gas marketing industry nor the time to ensure that volumes are balanced effectively. The fee paid to Engage Energy Canada L.P. will ensure the City's volumes are managed efficiently.

The City of Hamilton consumes approximately 240,000 gigajoules (approx. $1,000,000) of natural gas annually for heating its facilities and generating domestic hot water. The $0.025/gigajoule cost noted in item (c) above for Energy Management Services represents approximately 0.5% of the total annual cost of natural gas purchased and transported to City facilities.

BACKGROUND:

Since July of 1992 the City of Hamilton and Hamilton-Wentworth Region have purchased their natural gas requirements directly from a western producer through the Direct Buy/Sell mechanism. This has enabled both to purchase gas at market prices providing significant savings. For the City of Hamilton, the Buy/Sell arrangement has resulted in savings in excess of $400,000 during this period.

There are two widely accepted available forms of Direct Purchase; Buy/Sell and Bundled Transportation.

The Buy/Sell has been around the longest and was the chosen method for the City of Hamilton in 1992. A Buy/Sell customer purchases firm supplies of gas in Western Canada from Gas Marketers/Suppliers and then re-sells these supplies to Union Gas at the Alberta

border at a reference price or Weighted Average Cost of Gas (WACOG). Any difference between WACOG and what is paid to the Gas Marketers/Suppliers represents savings. These gas volumes are then shipped to Ontario using firm capacity on TransCanada Pipeline (TCPL) where they form part of Union's overall portfolio of gas (known as system gas).

Buy/Sell customers like the City remain "gas sales" customers of Union Gas. The City is invoiced for both system gas supplied and TCPL/Union Gas pipeline delivery charges incurred when natural gas is consumed at the burner-tip.

The second available option for Direct Purchase is Bundled Transportation (Bundled-T). These customers also purchase their own gas supplies outside of Ontario (Western Canada) and then contract with Union Gas to have this gas shipped via TCPL to their facilities. Union Gas does not "buy" the gas from these customers. Union's role is to arrange all of the pipeline transportation and gas storage services in order to match-up supply with consumption patterns. Only the transportation costs for gas consumed are reflected in the customers monthly bill sent out by Union Gas.

A recent decision by the Ontario Energy Board, ordering Union Gas to change their Buy/Sell price-setting methodology effective January 1, 1998 will mean it is no longer economically advantageous for the City to remain on a Buy/Sell Direct Purchase arrangement. The OEB has directed Union Gas to base the Buy/Sell price solely on the forecasted price of gas trading at the Alberta border. Any differences which may have existed between what the City purchases its gas volumes for and WACOG will no longer exist after this date.

The final or "burner-tip" price the City pays for its gas volumes when it moves to a Bundled Transportation service will be determined by the price of the commodity (currently supplied by Engage Energy) and approved TCPL tolls and Union's Delivery Rates.

Due to the elimination of the Restructured Western Buy/Sell mechanism, implementation of two point balancing requirements, further deregulation of the natural gas industry and exposure to balancing provisions of the Bundled Transportation Contract which is a 4% allowable annual variance between consumption and deliveries, the procurement of the City's natural gas energy has become an onerous task for staff. The nominal fee to procure specialized Energy Management Services from the current supplier will ensure the City's natural gas portfolio is managed within specified variances in order to avoid unexpected penalties. In addition, the on-going analysis of the natural gas market place by professionals will ensure the City is buying its gas volumes at the best available price. It is anticipated that the cost for these services and expertise will be recovered through the comprehensive and on-going analysis of the gas market and the City's specific load management.

RF/rd

attch.

cc. P. Noé Johnson, City Solicitor
Attention: Lorne Farr
A. Ross, City Treasurer
R. Desnoyers, Building Operations & Maintenance

uniongas
Business Markets

F@CTS line

Sharing Information for Better Business

Issue #10, 30 May, 1997

Are You a Direct Purchase Buy/Sell Customer?

You should consider switching your Plant and Buy/Sell Contracts to Bundled-T

Some Background

There are 2 broadly available forms of Direct Purchase; Buy/Sell and Bundled Transportation (Bundled -T).

Option 1 Buy/Sell:

Buy/Sell has been around the longest. Most Buy/Sell customers purchase firm supplies of gas in Western Canada from Gas Marketers/Agents and then re-sell these supplies to Union Gas at the Alberta border. These gas volumes are then shipped to Ontario using firm capacity on TransCanada Pipeline (TCPL) where they form part of Union's overall portfolio of gas (known as system gas supply).

Buy/Sell customers remain "gas sales" customers of Union. Union Gas bills these customers for both the system gas supplied and TCPL /Union Gas pipeline delivery charges incurred when natural gas is consumed at the burner-tip.

Option 2 Bundled Transportation (Bundled-T):

Bundled-T customers also purchase their own gas supplies outside of Ontario (Western Canada). Customers then contract with Union to have this gas shipped via TCPL and Union Gas to their plant. Union Gas does not "buy" this gas from you. Our role is to arrange all of the pipeline transportation and gas storage services that you will need in order to match-up your supply and consumption patterns.

Buy/Sell Prices Will Change

Recently, the Ontario Energy Board (OEB) ordered Union Gas to change our Buy/Sell price-setting methodology. This will change the price we pay customers for Western Canadian Buy/Sell supplies.

Historically, Union has calculated our Western Canadian Buy/Sell price on the basis of the avoided cost of our **entire** portfolio of gas supplies. This worked out to be $2.17 per gigajoule.

In this latest Decision the OEB examined the source of Union's Buy/Sell supplies - Western Canada, and the appropriate price to be paid for these supplies.

The OEB found that Union's practice of basing our Buy/Sell payments on our overall cost of supply - instead of the average price for gas flowing at the Alberta border, resulted in Union paying prices for Buy/Sell gas that were significantly in excess of the true avoided cost of that supply.

The OEB has therefore directed Union to base our Buy/Sell price solely on the forecasted price of gas trading at the Alberta border.

Business Markets can be reached every working day. Contact us:
Telephone: 1-888-363-7778 Fax: 1-888-363-7779 E-Mail: business@ugas.e-mail.com

Timing and Effect

The new reference price is $1.76 per gigajoule. This lower "buy" price will come into effect throughout this year as Buy/Sell contracts reach their renewal date. On January 1st, 1998 all remaining Buy/Sell contracts will move to this lower reference price.

When we lowered our Buy/Sell payment in the past, we also lowered the gas supply price found in our sales rates. However, as an outcome of now tying our Buy/Sell payment price to only the Alberta Border price, and not to our whole portfolio of gas supply, **we will not be lowering the gas supply price found in our sales rates at this time.**

The difference between what we will be paying for Buy/Sell supplies, and what we charge in our sales rates, will accumulate in a deferral account and be the subject of a future Hearing. There is a possibility however that not all of the credits in this account will end-up being completely refunded to Buy/Sell customers.

We Recommend That You Switch Your Plant and Buy/Sell Contracts to Bundled-T

Because of the uncertainty surrounding the economics of Buy/Sell we are recommending that customers exit the Buy/Sell mechanism and switch to the Bundled-T arrangement described above.

This conversion can be accommodated on the anniversary of your current Buy/Sell contract. This will not affect the rate Union Gas is charging you for the Delivery of your Gas. You must however contact us at the DMC to have you plant's Gas Sales Contract changed to a Delivery Contract before these Bundled-T arrangements can be put in-place.

You take complete control over your gas supply price when you switch to Bundled-T. Your gas supply price will be the result of negotiations between you and the gas marketer or broker you choose. From that point on only approved TCPL tolls and Union's Delivery Rates are added to determine your burner-tip price.

What You Need To Do:

1. At any point in time, phone Union Gas or your Gas Marketer/Broker. We will clarify any of these issues so you can make your decision.
2. Find out your Direct Purchase Anniversary Date and existing arrangements.
3. Is it a Buy/Sell Agreement?
4. If yes, contact your Gas Marketer and discuss the merits and timing of converting to Bundled-T.
5. Remember, if you decide to switch, your plant's gas sales contract with Union Gas will need to be changed. The delivery rate you are paying Union to Deliver your Gas won't change, we will simply remove the terms that allow us to charge you for the supply of gas.

Be sure that you or your Agent speaks to a Business Markets Representative to accommodate this change.

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uniongas

Please note that this change will take place when the current Buy/Sell contract expires. Up to that point the current pricing situaiton where there is no economic incentive for BT continues.

Comparison Of Bundled T vs. Buy/Sell

Current Situation	Buy/Sell	Bundled T
Customer Purchase Price at Empress	$1.70	$1.70
TCPL Fuel @ 8%	$0.14	$0.14
Sub Total	$1.84	$1.84
Union Buy Price	$2.32	N/A
TCPL Tolls	N/A	$0.89
Savings	$0.48	N/A
Total Union Rate at Plant	$3.71	$0.60
Less Savings	($0.48)	N/A
Less DCC	N/A	($0.10)
Net Gas Cost	$3.23	$3.23

Upon Contract Renewal (Up to Jan 1/98)	Buy/Sell	Bundled T
Customer Purchase Price at Empress	$1.70	$1.70
TCPL Fuel @ 8%	$0.14	$0.14
Sub Total	$1.84	$1.84
Union Buy Price	$1.90	N/A
TCPL Tolls	N/A	$0.89
Savings	$0.06	N/A
Total Union Rate at Plant	$3.71	$0.60
Less Savings	($0.06)	N/A
Less DCC	N/A	($0.10)
Net Gas Cost	$3.65	$3.23

13.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: The Control and Licensing of Dogs

RECOMMENDATION:

That By-law No. 85-148 on the Control and Licensing of Dogs be amended to require dogs that are suspected of biting a person or other animal to wear a muzzle.

P. Noé Johnson
per K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Finance and Administration Committee, on May 6, 1997, authorized Aldermen Drury and Collins to discuss the issue of muzzling dogs that have bitten a person or other animal with Bob Morrison of the Hamilton Society for the Prevention of Cruelty to Animals. The attached draft By-law incorporates the muzzling measures that can be legislated under the Municipal Act.

ANALYSIS:

Paragraph 10 of Section 210 of the Municipal Act, authorizes a municipality to enact a By-law requiring the muzzling or leashing of a dog, after it has bitten a person or another animal. The

By-law must, therefore, include a hearing process. The Municipal Act allows the dog owner to appeal the muzzling or leashing Order to the Council, a Committee or an Animal Control Officer. It is suggested that the Operations Manager of the Humane Society act as the hearing officer.

Under the draft amending By-law, when the Humane Society believes that a dog has bitten a person or another animal, the Humane Society will serve a Notice on the dog owner, requiring the muzzling of the dog when the dog is not on the owner's premises.

The dog owner can appeal this order to the Operations Manager of the Humane Society, who will then hold a hearing. After the hearing, the Operations Manager may confirm the order or may exempt the dog from the muzzling requirement.

The Humane Society has reviewed the draft By-law and finds the By-law to be acceptable.

For the information of the Committee, By-law 85-148 already defines a vicious dog as a dog that has made an unprovoked attack on a person or another animal which was under restraint or confined to the owner's property. Vicious dogs may be ordered, under the present By-law to be removed from Hamilton.

Sections 3 and 4 of the By-law are housekeeping amendments to indicate the fine under the By-law is established by the Provincial Offences Act.

When this By-law amendment is enacted, the Law Department will apply to the Chief Judge of the Provincial Court for approval to raise the set fines under the By-law. The Humane Society has suggested raising most of the set fines under the By-law to $105.00 and that the set fine for allowing a dog to bite be set at $250.00. The Chief Judge has the jurisdiction to approve the amount of a set fine.

PNJ/LEF:as

\BYLAW\DOGLICEN.REC

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 85-148

Respecting:

THE CONTROL AND LICENSING OF DOGS

WHEREAS By-law No. 85-148 was enacted on July 30, 1985 to regulate the control and licensing of dogs within the City;

AND WHEREAS paragraph 10 of Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a municipality to enact a By-law requiring the muzzling or leashing of a dog after it has bitten a person or a domestic animal, subject to the dog owner's right to appeal the muzzling or leashing Order;

AND WHEREAS City Council, on (specify), in adopting Section (specify) of the (specify) Report of the Finance and Administration Committee, authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 5(a) of By-law No. 85-148 is repealed and the following is substituted

"5. (a) Every dog owner shall provide a restraint or enclosure for the purpose of confining the dog to the premises of the dog owner."

2. By-law No. 85-148 is amended by the addition of the following Section:

"6. (b) (1) Despite any other provision of this By-law,

(i) where the Operations Manager of the Hamilton Society for the Prevention of Cruelty to Animals has reason to believe that a dog has bitten a person or a domestic animal, the Operations Manager shall serve a notice upon the owner requiring the owner to muzzle the dog, except when the dog is on the premises of the owner;

(ii) the notice shall be served on the owner in the same manner as the notice of hearing may be served under subsection (2)(b);

(iii) upon the service of the notice, the owner shall muzzle the dog except when the dog is on the premises of the owner."

(2) Where the Operations Manager has reason to believe that a dog has bitten a person or a domestic animal, he or she shall, if requested by the owner, hold a hearing under the Statutory Power Procedure Act, to determine whether the dog has bitten a person or a domestic animal;

(3) Prior to holding the hearing, the Operations Manager shall,

(a) cause a notice of hearing to be served on the owner;

(b) the notice of hearing may be served on the owner by the Operations Manager by handing it to the owner, but where the notice of hearing cannot be given or served by reason of the owner's absence from his or her premises or by reason of his or her evading service, the notice of hearing may be given or served by,

(i) handing it to an apparently adult person on the owner's premises; or

(ii) posting it up in a conspicuous place upon some part of the owner's premises; or

(iii) sending it by prepaid registered mail to the owner at the address where he or she resides and it shall be deemed to have been received by the person to whom it was addressed on the fifth day after the day of mailing.

(4) The notice of hearing shall include a statement,

(a) of the facts which lead the Operations Manager to believe that the owner's dog has bitten a person or a domestic animal;

(b) setting out the time and place at which the Operations Manager will hold a public hearing to determine whether the dog has bitten a person or a domestic animal and whether or not the dog shall be exempted from the muzzling requirement;

(c) that if the owner does not attend the hearing, the Operations Manager may proceed with the hearing in the absence of the owner, and the owner will not be entitled to any further notice in the proceeding.

(d) that the Operations Manager shall also cause a notice of hearing to be served on the person bitten by the dog or the owner of the domestic animal bitten by the dog in the same manner as the notice of hearing may be served under subsection (2) with necessary modifications.

(5) The owner may, if he or she wishes, be represented by counsel or an agent at the hearing and shall have the right to adduce evidence and to submit argument to show that the dog has not bitten a person or a domestic animal or to exempt the dog from the muzzling requirement, or both, and to cross-examine any witness adverse in interest to the owner, and in the event that the owner's dog is not exempted from the muzzling requirement, the Operations

Manager shall, at the request of the owner, deliver written reasons for his or her decision.

(6) At the hearing, the Operations Manager shall consider all of the evidence and shall make a declaration that the dog of the owner,

(a) has bitten a person or domestic animal or has not bitten a person or domestic animal; and

(b) shall be muzzled, except when on the premises of the owner, or shall be exempt from the muzzling requirement.

(7) In addition to the notice of decision required under Section 18 of the Statutory Powers Procedure Act, a copy of the declaration shall be served on the owner by the Operations Manager in the same manner as the notice of hearing may be served under subsection 2.

(8) Every person who keeps a dog which requires muzzling under this section shall immediately notify the Operations Manager after he or she has transferred the ownership of the dog to any other person or has begun keeping the dog at a new location."

3. Section 31, DELETIONis repealed and the following is substituted.

"31. Any person who contravenes any part of PART 1 is guilty of an offence and, upon conviction, is subject to the Penalties specified by Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended."

4. Section 33 is deleted and the following is substituted.

"33. Every person who owns or operates a kennel and every person, other than a dog owner, who contravenes any provision of PART 3, is guilty of an offence and upon conviction is liable to the Penalties specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended."

PASSED this day of , 1997.

CITY CLERK MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

URBAN MUNICIPAL
SEP 23 1997
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 September 23
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.
Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2:00 O'CLOCK P.M. **DELEGATIONS**

A. (a) Development of the Playhouse Theatre, Sherman Avenue North
- (i) Christopher Giacinti, Burke Austin
- (ii) Lily Small - Great Big Theatre Company
- (iii) Rev. Todd Bender - City Kidz

(b) Fred Morrison, Van Wyck Morison Insurance Brokers Inc. - city owned property - part of 1717 Upper James Street

(c) **Proposed Questions for Municipal Election Ballot**

(i) Melvin Boudrea - request to have a question placed on the ballot respecting the District Health Council

(ii) Regional Municipality of Hamilton Wentworth - request to consider including a question on the electoral ballot regarding a Model Tobacco Control By-law

(iii) Eduardo Navarro - Government restructuring

(iv) Alderman D. Wilson - (copy to follow)

2. **CONSENT AGENDA**

3. **MAYOR ROBERT M. MORROW**

(a) Remaining Capital Grant requests

(i) Information Report - Treasurer - Excess or Surplus Capital financing during 1997 and Outstanding Capital Grant Requests

(b) FCM Big City Mayor's Caucus - Per capita contribution to Right of Way Fund - Telecommunications: Access to Municipal Rights-of-Way

(c) Dinner Reception for 1997 OUAA - Ontario Universities Athletic Association - Golf Tournament

(d) Dinner Reception for delegates of the Community Policing and Aboriginal Justice Symposium - October 1997

(e) Reception Dinner for dignitaries from Abruzzo Region of Italy

(i) Report - Treasurer - Funding for receptions

4. **ALDERMAN D. DRURY**

Taxi Advisory Committee (no copy)

5. **TREASURER**

(a) 1996 Audit Management Letter - (Note: the City's Auditor's will be in attendance)

(b) Pay-on-Foot Parking Control System - Financing

6. **CITY CLERK**

Declaration of Surplus Property/Transfer to Region of the former part of Garnet Avenue, MaClanders Street and Limeridge Road West

7. **DIRECTOR OF CULTURE & RECREATION**

   (a) Requested report back - Relocation of the Irish Monument from Gage Park to the City Hall Grounds

   (b) City Hall and Its Grounds; Development of a Grounds Use Policy/Preparation of Capital Renovations Plans for Building and Grounds

   (c) St. John's Ambulance - Financial Assistance

8. **THE PARKING AUTHORITY OF THE CITY OF HAMILTON**

   Proceeds from the sale of municipal carparks

9. **COMMISSIONER OF PUBLIC WORK AND TRAFFIC**

   1997 Vehicle Replacement Program

10. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC\CITY SOLICITOR**

    Claims Adjusting Services - Extension of Terms of Engagement

11. **CORRESPONDENCE**

    (a) Bay Area Restoration Council - request for bridge financing support in the amount of $1,500.

    (b) Hamilton Board of Education - submission of two names as the Board's representative on the Hamilton Library Board

    (c) The Skating Events Trust - request for the City to become a sponsor

12. **CHIEF ADMINISTRATIVE OFFICER/CITY TREASURER/DIRECTOR OF CULTURE AND RECREATION**

    City of Hamilton Donations Policy

13. **OTHER BUSINESS**

14. **ADJOURNMENT**

A. (a.) (i)

NEWS FAX

SEPT.16 1997

THE PLAYHOUSE THEATRE FOR THE PERFORMING ARTS

(unsearched)

Christopher Giacinti
Manager
(905 549-9256)

Burke Austin
Volunteer Coordinator
(905 545-9856)

GOAL

The establishment and operation of Dramatic Theatre for the purposes of:

- establishing and operating the PLAYHOUSE THEATRE and repertory groups
- providing FACILITIES for education and instruction in Theatre arts
- advancing knowledge and appreciation of dramatic culture and tradition by theatrical performances
- conducting annual theatre festivals and other such complimentary purposes not inconsistent with these objectives

STRATEGY

To appeal to the Finance and Administration Committee to consider and recommend our proposal on Sept. 23, It's been nine months

To request that our elected officials show support, encouragement and have VISION in our efforts to provide Community based opportunities in Hamilton

VISION 2020

5.0 QUALITY OF LIFE

GOAL: To develop the social and physical environment that allows all citizens to participate fully in our community

STRATEGY: Encourage the development, implementation and evaluation of models for the delivery of needs-based social services

"Copy sent to Alderman B. Charters, Chairman, Finance & Administration Committee - 1997 August 12th"

703 Burgess Ave.
Hamilton Ont.
L8H 6J3

City Hall
71 Main St. W
Hamilton Ont

Aug.12,1997

TO : Susan Riter
Finance and Administration Committee

I am writing in regards to a proposal for the Development of the Playhouse Theatre prepared by Christopher Giacinti and submitted to the committee for consideration.

In conversation with you earlier today you indicated that the proposal was discussed in camera at the last committee meeting and a decision was reached to sell the Theatre outright.

In all fairness to the hard work and effort put forward in this proposal we are requesting some time for a presentation on the Aug. 19 Finance and Administration Committee Meeting.

We strongly believe that this project warrants further consideration by the Committee. It will not only provide affordable entertainment but will also actively involve citizens especially our youth.

This sustainable project fits into Vision 2020 as a wave of the present. For people to enjoy the Arts and Recreation we will have to accomplish this on our own with out depending on Government Funding which we do not expect now or in the future. We are willing to produce the funding required for the renovations to the facility. The people of Hamilton have very much to win by this project and the City has virtually nothing to loose.

Therefor if the Committee will agree to grant us some time on the Aug. 19 agenda it would be very much appreciated by our team.

Yours Sincerely,

Christopher Giacinti
Burke Austin — 545-9850.

A PROPOSAL FOR THE DEVELOPMENT OF THE PLAYHOUSE THEATRE SHERMAN AVENUE NORTH HAMILTON, ONTARIO

PREPARED BY: CHRISTOPHER GIACINTI

DECEMBER 1996

THE FACILITY, ITS HISTORY AND LOCATION

The Playhouse Theatre is a small (456 seats) performing arts facility located in north central Hamilton. It was built around 1914 for use as vaudeville house. As the popularity of this entertainment declined, the facility was converted to a cinema. In 1990, a professional theatre company (Terra Nova) purchased the building with the assistance of a $225,000 interest-free mortgage provided by the City of Hamilton. It was the intention of Terra Nova to return the facility to theatrical use.

Because Terra Nova used most of their cash reserves for a down payment on the purchase of the theatre, they were left without the financial resources necessary to undertake any serious renovations to what (even in 1990) must have been a very tired facility. More important, the purchase of the building forced Terra Nova to undertake its first season in the Playhouse with little cash on reserve. With the cost of production and demands of a mortgage, the company only needed one financial setback to begin the onset of terminal crisis. That the company suffered more than its share of misfortune during that first season is a matter of public record. Less than twelve months after it moved into the Playhouse, Theatre Terra Nova folded and the City of Hamilton reluctantly became the building's owner.

Since the foreclosure on the mortgage, the City of Hamilton has endeavored (without success) to sell the property. The building was appraised at $250,000 in 1990 and was valued at $150,000 later that year. Six years later, the price has been reduced to under $100,000 and the building remains unsold. Aside from age, its raked main floor makes the building an impractical facility for most non-theatrical enterprises. The depressed nature of the neighborhood and the generally negative perception of the area only makes the building less desirable.

Despite the negatives attached to the building and its location, the Playhouse remains one of the few examples of the small vaudeville theatre and, as such, retains some historic value. In addition, the successful development of the Playhouse as a performance space could very well be the catalyst that sparks a renewal of the area. However, given the current economic climate, there is little expectation that the City will undertake development of the theatre. This leaves only non-government ventures as options. Since public sector funding is not likely to be available, any development would depend on the viability of the facility as a cost-recovery undertaking.

THE MARKET FOR ANOTHER PERFORMANCE FACILITY

The viability of the Playhouse theatre will depend on the market demand for another small performance space. More specifically, whether there is sufficient production growth possible within the Hamilton market to support another facility.

The Hamilton area is currently served by a variety of performance venues. These include: Copps Coliseum, Hamilton Place (two spaces), the DuMaurier Centre (two spaces), the Tivoli, Sir John A. Macdonald Theatre, and the theatres at McMaster University and Mohawk College. There are also a variety of school, church, and similar facilities available in the area.

Despite the apparent diversity of facilities in the area, for a variety of reasons many of the smaller spaces are either not readily available, or unable to accommodate production growth. The reasons vary from venue to venue: current use (DuMaurier Centre), bookings (Macdonald Theatre), cost (Hamilton Place Studio Theatre), academic considerations (McMaster, Mohawk), and disinterest (Tivoli).

Within the Hamilton venue mix, the Playhouse lies comparatively between the Studio and Macdonald theatres. Because of costs (as much as $4.00/seat), the Studio Theatre has positioned itself to accommodate professional productions. Professional theatre (for a variety of reasons) is a no-growth market and the Studio Theatre sits dark much of the time. Alternatively, the Macdonald Theatre, which is priced at less than $1.00/seat, is heavily used by a variety of community groups during the season.

It is clear that if a market exists for the Playhouse it most likely will be found among community groups. Any development of the Playhouse, must be prepared to accommodate this use and respond accordingly.

THE ECONOMICS OF FACILITY OPERATION

As the budget figures indicate (see appendix 1), the annual operating cost of the Playhouse is estimated to be approximately $100 000. Underlying these figures are a number of assumptions regarding the organization and operating structure of the facility. However, they do fairly represent the expected operating costs of a community-oriented facility. The proposed operating budget makes it clear that balancing these costs against revenues will be difficult. However, it is not an impossible objective to pursue. The chief difficulty of cost recovery is time, or more specifically, not enough weekends.

Traditionally, the theatre season runs from September to May, with Friday and Saturday being the generally preferred performance days for community users. Assuming that the facility can be rented each weekend during the season at an average user charge of $2.00/seat ($1 000), this would only generate earned revenues of $72 000 and leave a shortfall of $28 000. There are simply not enough weekends during the season to conclude that cost recovery is practical.

That the Playhouse cannot meet its primary object of cost recovery if it relies solely on rental income is not a surprising conclusion. Performing arts centres are generally operated as a community service with substantial financial support from government sources. Since it is apparent that this funding is not to be available to the Playhouse, the project must find an alternative solution to succeed.

The less obvious solution to the funding shortfall is to develop a direct route to community funding. Often referred to as fundraising, the suggested approach is a more integrated undertaking than the traditional fundraising model. This requires that value be created for the community at a personal level. In order to do this, development (fundraising) cannot operate as an afterthought, or in isolation to operations and marketing. Instead, development must function in concert with operations and marketing during the developmental phase of the project and product.

A successful direct appeal to the public is dependent on understanding and meeting the public's needs and desires rather than allowing the facility to be guided entirely by artistic vision. The Playhouse must ensure that these factors form the central focus of the theatre. Additionally, a greater opportunity to involve the community exists if the Playhouse becomes not only a performance facility, but a centre for leisure, recreation and educational opportunities as well. By making these opportunities available and encouraging the public to become actively involved in the creation and presentation of performances (rather than simply consumers), the Playhouse can promote a sense of value and ownership in the community. It is this value that makes a direct appeal for financial support feasible.

ANOTHER BARRIER TO SUCCESS

The assumption that the Playhouse can overcome the revenue shortfall created by its operating budget begins with the premise that the facility is able to accommodate productions and support the user base it expects to develop. In its current condition, the Playhouse is unable to meet this requirement. The building's physical condition, and the cost of acquiring, upgrading, and equipping the facility creates another (and substantial) barrier to success.

After touring the building, and engaging in discussions with individuals familiar with the theatre, it appears that the start-up costs will approach $500 000 (see appendix 2 & 3). While it may be possible to operate the facility on a cost-recovery basis, there is little hope that the facility can generate the additional funds required to carry a mortgage or pay a return on an investment of that size (assuming a lender or investor can be found). The solution to the problem is found in the premise that the Playhouse can operate viably if it becomes a community-oriented facility.

The same value perception that encourages the community to support the operation of the facility will also encourage the community to participate in the refurbishment of the building. However, building the necessary community relationships quickly is not feasible. In this respect time once again becomes a barrier to success.

Given the number of community groups attempting to raise funds in the community, the failure of the Playhouse in the hands of Terra Nova, the collapse of the Hamilton Philharmonic, and the on-going woes of Theatre Aquarius, there is little reason to expect that the community will rush to support another project. This is particularly true of something as intangible as the future of the Playhouse Theatre. However, while perhaps difficult, the task is not impossible. Assuming the Playhouse develops a community identity, it is not unreasonable to expect that support will eventually come. Public support, when it comes, will occur in increments over time. As the current owners of the building, the City of Hamilton is in an position to grant the time necessary for the project to succeed.

A USER AGREEMENT

To simultaneously purchase and renovate the building, develop an audience and user base is an unreasonable objective without substantial funding and to engage this project without adequate resources must beg failure. In the absence of development funding, the time to develop capital resources must be a first priority. If the City can perceive the value of encouraging the development of the Playhouse as a community performance facility, it should also accept that the problem of time is one that it alone can resolve. As the first step toward success, the City can grant this time through a lease/ purchase arrangement that would allow two years to develop community partnerships, acquire the funds necessary to prepare the building and an additional year to develop a facility user and audience base. Granting a three year lease at $1.00/year, with an option to purchase the building will achieve this end. A lease arrangement not only grants time but will also facilitate the rehabilitation of the facility by allowing funds generated during the first three years to be used to physically improve the facility which will only serve to move the project along.

THE DEVELOPMENT STRUCTURE

To make the development possible, a management company will be established to enter into the lease agreement with the City. The company will be directed by the lessee (see resume, Appendix 4) and will be responsible for the coordination and management of the development process. It will also provide the initial funding to begin the project. At the same time, a non-profit society will be established to provide direct community input into the development of the project. The society will eventually provide the organizational structure to undertake productions and co-productions, while the management company will provide the administrative structure for the building operation.

Assuming an agreement can be reached on the facility, the management company will allocate the funds necessary to cover startup expenses required by the lease (insurance, etc.) and the first phase of development (staff, office equipment, etc.). It is expected that at least one year will be required to develop sufficient funds to permit any renovations to be undertaken. During this period, the management company will provide the operational funding allowing fundraising to be used for building improvements.

CONCLUSION

The Playhouse Theatre has the potential to become a Hamilton success story. A reasonable method exists for realizing this potential. Currently, a detailed business plan is being developed, and will be forthcoming if the City indicates a favorable position on the crucial lease arrangement suggested. In that respect, the future of the project now depends on the City's commitment.

APPENDIX 1
PLAYHOUSE THEATRE
ESTIMATED OPERATING BUDGET

Expenses		
Staff		
Development/Administrative	30 000	
Technician	30 000	
Volunteer Coordinator	10 000	70 000
Utilities/Insurance	25 000	
Office Supplies/postage	3 000	
Telephone	2 000	30 000
TOTAL		100 000
Revenues		
70 performances @ 1 000	70 000	
Misc. rentals & bar sales	5 000	
Development Revenues	25 000	100 000

APPENDIX 2

PLAYHOUSE RENOVATIONS AND EQUIPMENT REQUIREMENTS

(extracted from the preliminary business plan and amended)

OVERVIEW

The preliminary estimate of renovations and requirements for a revival of the Playhouse Theatre, come from a variety of sources. A tour of the Playhouse Theatre, and consultation with people familiar with the facility have provided a general perspective on the condition of the building. Experience in facility management and using the Canadian Arts Consumer Profile (CACP) as a guide indicate a number of physical deficiencies in the facility. These have been summarized below. However, in the absence of either detailed drawings or an engineer's report, it can only represent the anticipated renovations required and best guess values in respect to costs. The development will be further altered by practical and building code considerations. In addition, there has been an assumption that some of the renovation costs can be reduced through (gift-in-kind) negotiations with various contractors and the development of a volunteer base to undertake some of the labour.

STRUCTURAL AND BUILDING CODE CONSIDERATIONS

Although no engineers report is currently available, based on the appraisal in 1990, it would appear that the building is in reasonably sound physical condition. However, an inspection of the roof in 1990 indicated that it was in need of replacement. As well, any serious renovations to the building will (among other things) require the installation of sprinklers and fire/smoke alarms to meet current building codes.

Sightlines and acoustics (identified by the CACP as important to audiences attending performances) are within or superior to industry standards. However, other areas such as lobby and washroom facilities (identified as important in the CACP) are in need of some major changes.

WASHROOMS

The industry standard for a facility of this size requires at least 10 stalls in the women's washroom. In this respect, the existing women's washroom is clearly inadequate and its location poor. Since the CACP findings made it clear that the market for performances is largely female, this shortcoming must be addressed. In addition, no wheelchair accessible washrooms currently exist within the facility.

The preferred solution would be to create a new and larger women's washroom in the basement, beside the existing men's washroom. This will require an alteration of the access stairs to the new washroom facilities but will permit the current women's washroom to be converted to wheelchair use without encroachment on the lobby area.

LOBBY

Physically, the theatre lobby requires areas for box office, coat check, concession sales, and a lounge area for use before performances and during intermission. The current arrangement includes an entrance ramp and two separate side spaces (one of which is accessible from the ramp). Although this may have been suitable in the past, it is inadequate for current audience needs.

Renovation of the lobby area to open up and maximize the available space should probably include the addition of exterior doors to create a vestibule and weather barrier and the elimination of the existing entry ramp to the theatre auditorium. The desire would be to create one large lobby area that would incorporate the necessary service elements such as box office, coat check and concession.

SPONSORS LOBBY AND BOX SEATING

The Playhouse currently provides two apartments on the second floor and a film projection area. Because none of these will be required in the refurbished facility, they should be replaced by a second floor lobby, box seating and technical booth.

SEATING

Although the seating arrangements at the Playhouse are adequate, the condition of the seats is less than satisfactory. Although restoration is possible, it is likely to be both expensive and labour intensive. Since the existing seating is of no historical value and the development strategy is expected to include a capital campaign, serious consideration should be given to replacing the existing seats. Seat replacement is likely to be the single largest expense incurred during renovations, however, it is also the easiest project to sell to the community.

DRESSING ROOMS

The alterations that converted the facility into a cinema included the addition of air-conditioning and part of this installation currently occupies part of the stage and the original dressing room space. Because, the condition and efficiency of the existing installation is suspect and the Playhouse season is expected to initially occupy the October - April period (and is unlikely to require air-conditioning) the tentative strategy would be to remove the condenser unit in the basement and on stage ducting. This would permit the reclaiming of the dressing rooms and a significant amount of space on the existing stage.

When finances make it feasible and the season makes it necessary, the air conditioning can be replaced with a more efficient system in a more reasonable location.

EQUIPMENT

In order to operate the Theatre, it will be necessary to purchase and install a variety of sound, lighting and related equipment (such as curtains). Much of this equipment will be determined by the final stage layout and production schedule. Because of this, equipment will be purchased used where possible and as required to meet production needs.

APPENDIX 3
PLAYHOUSE THEATRE
PROPOSED RENOVATIONS AND EQUIPMENT BUDGET
(very much estimates*)

Renovations			
Roof Replacement	30 000		
Sprinkler/Alarms	25 000		
1st Floor Lobby	20 000		
2nd Floor Lobby	25 000		
Washrooms	15 000		
Dressing Rooms/Storage	15 000		
Stage Development	20 000		
Seat Replacement	125 000	275 000	
Technical			
Sound	15 000		
Lights	55 000		
Curtains	30 000	100 000	375 000

* The budget makes the assumption that actual costs will involve a significant amount of gift-in-kind donations for professional services and volunteer and donated labour.

Christopher P. Giacinti

108 Fairholt Road South
Hamilton, Ontario L5M 2T7
(905) 549-9256
e-mail: giacinti@ns.sympatico.ca

Summary of Experience

Administrative Experience

* Experience with all aspects of the day to day administration of a performing arts centre. This includes policy development and application, planning and allocation of staff resources.
* Experience with the development and execution of physical maintenance and capital programmes.
* Experience with the establishment, development and operation of facility related ancillary operations such as box office (both manual and computer based), coat check and concession.

Programme Development and Production Experience

* Planned, coordinated and produced a variety of market-driven cultural and entertainment progammes including full season production schedules involving music, dance and theatre, residency programmes, and single performance events.
* Experience as a promoter, producer and facilitator of entertainment and cultural productions.
* Experience as Artistic Director for cost-recovery theatre season in dance, drama and music.

Marketing/Promotion/Communication Experience

* Developed and implemented marketing and promotion strategies for a wide variety of productions. This experience included market analysis, pricing strategies, resource allocation and public/media relations.
* Developed annual subscription campaigns using both traditional promotions, telemarketing and direct-mail techniques.
* Knowledge and experience with graphic design, production and desktop publishing.
* Wrote production study guides and coordinated and conducted classroom presentations.

Development/Fundraising Experience

* Developed and managed a variety of successful sponsorship programmes.
* Developed and managed capital and endowment campaigns.
* Experience negotiating business sector contra and gift in kind agreements.
* Developed and produced a variety of fundraising events including balls, dinner theatre, and raffles.
* Wrote and produced a six hour segment for a community telethon

Volunteer and Community Relations

* Worked with many volunteer boards, committees and community groups in a variety of capacities.
* Have experience in volunteer recruitment, development, training and supervision.

Technical and Artistic Experience

* Experience in all aspects of theatrical technical production.
* Designed and constructed theatrical sets, stages and properties.
* Designed, set up and operated theatrical and concert lighting.

... continued on page 2

Selected Theatrical Experience

Presenting and Facilitating

A Closer Walk With Patsy Cline, The Alberta Ballet, Burton Cummings, George Fox, Andre Gagnon, Ballet BC, Liona Boyd, The Canadian Opera Company, Chinese Circus, Decidedly Jazz Danceworks, Edmonton Symphony, Kokoro Dance, Manteca, Judith Marcuse Dance, Frank Mills, Montanaro Dance, Eric Nagler, The Nylons, The Nutcracker, Fred Penner, Royal Winnipeg Ballet, Sharon, Lois and Bram, Michelle Wright.

Producing

Anne of Green Gables, The Black Bonspiel of Wullie MacCrimmon, Children of a Lesser God, A Christmas Carol, Cyrano DeBergerac, Dracula, Driving Miss Daisy, Educationg Rita, Fiddler On The Roof, Music Man, Oklahoma Oliver, The Sound of Music, Taming of the Shrew, Twelfth Night, West Side Story.

Directing/Design

A Day in Hollywood / A Night in the Ukraine, Anything Goes, Barefoot in the Park, Chapter Two, Evita, Hamlet, Joseph and the Amazing Technicolor Dreamcoat, Life After Hockey, A Midsummer Nights Dream, Much Ado About Nothing, Play it Again Sam, Romeo and Juliet, The Wizard of OZ.

Education

Bachelor of Arts, Political Science
McMaster University
Hamilton, Ontario

Management Development For Arts Administrators
Banff Centre School of Management
Banff, Alberta

Employment

1985 - 1996	Manager, Theatre Operations Grande Prairie Regional College Theatre Grande Prairie, Alberta
1979 - 1985	Programme Director McMaster Students Union McMaster University

References

Alan Robertson
Chairman,
Theatre Operating Board of Directors
Grande Prairie Regional College Theatre
Grande Prairie, Alberta
(403) 532-4249 (r)

H.C. (Herb) Wyness
Former Vice President (Finance)
Grande Prairie Regional College
Grande Prairie, Alberta
(403) 538-1578 (r)

Additional references supplied upon request

A. (a.)
(ii)

Great Big Theatre Company
79 Jerome Park Dr.,
Dundas, Ontario, L9H 6R8.
c/o Lily Small - tel. 628-9747

June 23, 1997

To: Susan Reeder
Secretary to Finance & Administrative Committee
fax # 546-2095

Regarding the city owned lot on Sherman St. near Barton Ave. - Playhouse Theatre

Great Big Theatre Company would like to suggest a development of this site as a centre for Children's and Young People's Theatre & theatre related operations; ie performances, workshops, interactive school-theatre programs & Elementary School Theatre festivals.

We feel G.B.T.C. would be an asset to the city's 'revitalization' of the Barton core area. Given a city grant to cover the cost of this building, we would take necessary steps to renovate and maintain it. We suggest the city offer G.B.T.C. the use of this location on which to build a children's theatre community which caters to the local community as well as invites visitors from around and outside of Hamilton.

Great Big Theatre Company is incorporated as a non profit, charitable theatre organization in Ontario. We perform classic and contemporary; Canadian as well as international children's plays for children aged 4 to 14 years and their families and friends. We are affiliated with 16 different school boards in and around the Hamilton area; school groups and entire schools have repeatedly attended our performances.

We have performed for over 22,000 people in the last 2 ½ years. As well as producing 'Mainstage productions, we participate in 'community' events as well as toward charitable causes.

We are entering our 4th theatre performance Season. We are and have been from our outset totally financially self-supporting. As well, G.B.T.C. has developed a Theatre School, now entering into its 3rd season.

Great Big Theatre Company seeks a 'home' that would be mutually beneficial to us and to the city of Hamilton.

For further consideration please contact Lily Small - tel. (905) 628-9747

06/24/97 11:39 ☎4166285585 VLX PRESS DUNDAS 001

A. (a.) (iii)

CITY KIDZ
Sunday School
Building boys and girls and changing a generation!

August 12, 1997

Mr. Mike Watson
City Hall/Real Estate Dept.
Hamilton, Ontario

Dear Mr. Watson:

Enclosed you will find a proposal for the purchase of a City owned property located at 177 Sherman Ave. N., formally known as the Playhouse Theatre. I have thoroughly researched the history of the property and understand completely the City's desire and needs concerning it.

I believe you will find our proposal to be clear and precise. Please understand that this proposal is not about requesting a free building, only the City's assistance in purchasing it. I have included every possible detail concerning this matter, if however you require more information I will be available to provide it for you at the numbers listed below.

We feel our financial position coincides responsibly with the terms of this proposal. It is my hope that upon careful examination you will seriously consider providing us with assistance. I look forward with anticipation to hearing from you in the near future.

Sincerely,

Todd Bender

Rev. Todd Bender
Pastor/Director
City Kidz

Effort Square, P.O., Box 91010, Hamilton, Ontario, L8N 4G3, Phone: (905)524-5437, Fax (905)525-1655
email: citykidz@interlynx.net website: home.interlynx.net/~citykidz/citykidz.htm

Introduction

SECTION I - INTRODUCTION

Since 1986 the youth violent crime rate has increased 124 % sociologist's have now termed our next generation of kids as super predators. These are children who will commit violent crimes with no sense of remorse. These children have no internal value system to help them formulate decisions. They grow up learning that to survive you have to look our for yourself at whatever cost. That's why we believe prevention is the key. By being pro-active and investing in the lives of our children today, with good solid biblical values, we can help construct strong foundations for which to build their lives upon. One by one, block by block, we believe we can make a difference. By working with other agencies, organization's and churches, and extending our geographical area, we can in effect help change an entire city.

City Kidz is a charitable non-denominational Christian organization Charitable # 894982479 RR. Founded in 1991, City Kidz has been actively involved in helping change the lives of children and families living in Hamilton's city core. Each week approximately 400 children ages 3 years to 11 are bussed in to attend a dynamic Sunday School program that teaches solid biblical values and provides a fun, safe and exciting atmosphere. During the week presently over 700 children receive a personal home visit. It is through home visits that relationships, credibility and trust are built and where we have personally witnessed lives changed. A dynamic program for Junior High aged children has also been implemented in the last year, consisting of a weekly leadership training program and a monthly event titled "Youth Explosion". Presently over 200 Junior high's are actively involved.

With seven full time staff and well over fifty volunteers, we have seen consistent growth and life changing results. Other Events such as our Christmas Stocking Project every year provides 700 children with a Christmas stocking filled with Candies and toys as well as a Christmas Turkey Dinner.

To assist in the understanding of our organization I have included several other materials such as a brochure, a newsletter, and photos. This material is intended to give more detailed insight into the dynamics of our organization. If however you require more information, we are available to answer any questions you may have.

Proposal

SECTION II - PROPOSAL

Over the past five years City Kidz has been sharing the Tivoli Theatre with another organization and due to circumstances this option is no longer available. As of September, City Kidz will no longer have use of a facility in which to operate. Having researched the feasibility of renting or borrowing space, we feel it is in our best interest to pursue the purchase of a building that will accommodate our ever expanding needs. We believe the City owned property, located at 177 Sherman Ave. N., formally known as the Playhouse Theatre is an ideal location and venue for us to house our organization in.

Here are the reasons why:

1. Location

a) Our demographics show that 177 Sherman St. N., resides in a low income, high need area. We believe our presence in the community will be a benefit to all children and families who live there.

b) Because of our desire to be active in the entire city core the location of the Playhouse Theatre is an ideal strategic move. With Sherman street running north and south it splits equal distance east and west for bus transportation of children and families.

2. Venue

a) The Playhouse Theatre seats a maximum of 650 people. This will allow us to perform three programs per day with the potential of nearly 2000 children reached each Saturday.

b) Having had the opportunity to work in a theatre setting (Tivoli Theatre), we feel it is by far the best venue to present our programs in, providing excellent natural dynamics.

3. Administration and Expansion

a) The theatre also facilitates two, one bedroom apartments. This will allow temporary housing for staff and future expansion of our office administration.

4. Potential income generation

a) Renting the facility to other organizations and groups will allow the opportunity to generate income.

Believing this location provides all the needed elements for our organization, we are requesting the City of Hamilton to assist us in obtaining The Playhouse Theatre for the purposes as outlined in this proposal. Understanding fully the City's invested interest in the property *we will agree to purchase the property for the full price of $68,000.*

Unfortunately our organization presently does not have the capital funds needed to purchase the property outright, therefore *we are requesting the city to finance, interest free, the property on 177 Sherman St. N., on a lease to own basis.*

Here are the details to our request:

I) **We will agree to pay the leased amount of a minimum of $1000 on the first day of each month beginning October 1st 1997 and continuing every month there after until the full contract is completed. We would also request that as we generate capital designated funds we would be allowed to make payments above and beyond the $1000 lease payment. Our hope and expectation would be to purchase the building before the normal contract has expired.**

II) **We would ask that City Kidz carry the deed to the property with the understanding and binding agreement that if there is a breach of contract the deed would be returned to the City.**

III) **Because of our charitable status we would request exemption from all property taxes.**

IV) **We have obtained and enclosed a copy of the present Offer to Purchase contract. Having carefully considered each clause and statement and pending any changes, are in agreement with the document in it's entirety. We fully understand that the City is not warranting or making any promises as to the state of the property, building or it's contents therein.**

We have familiarized ourselves with the Playhouse Theatre, its history and present condition. We feel the purchase price of $68,000 is a reasonable and fair fee for this property. Once again we are not asking the City for a free building but simply its help in purchasing it. We understand further details will need to be discussed concerning these terms, and we are willing to negotiate any reasonable suggestions the City may have pertaining to this proposal.

Restoration Strategy

SECTION III - RESTORATION STRATEGY

Understanding the major undertaking of restoring this facility, we have formulated a strategy to repair, renovate and restore the building once given possession. Upon gaining access to the property we would begin an initial start up or renovation process to restore the building to acceptable public standards. Our goal is to create a clean, bright atmosphere for all the children and parents who walk through the doors.

Initial Start Up Procedures are as follows:

Stage 1.

A) Establish Utility Contracts.

- *Hamilton Hydro*
- *Union Gas*
- *Hamilton Water and Sewer*

B) Test and restore electrical, gas, boiler and plumbing.

- *test and repair lighting in foyer', auditorium and apartments*
- *test and initiate boiler*
- *test and repair plumbing*

C) Clean interior of Building.

- *collect and remove Garbage*
- *complete wash down of building to remove dirt and grime*
- *remove all asbestos and harmful materials to their appropriate places*

Stage 2.

A) Strip, plaster and sand.

- *all internal walls in need of restoration*
- *prepare foyer' and auditorium walls, ceilings and floors for paint*

B) Renovate stage area.

- *restore stage to near it's original size to accommodate more seats*
- *paint stage*
- *clean and restore curtain*

C) Renovate Theatre Seating.

- *Clean and repair all theatre seats*
- *install and rearrange seating accordingly*

D) Repair Washrooms.

- repair Theatre washrooms and test all urinals, toilets, sinks, facets and drains etc.

Stage 3.

A) Paint.

- paint all internal walls and ceilings that have been stripped, plastered and sanded.

B) Install all fire, safety, and first aid articles.

- fire extinguishers
- first aid kits
- establish fire routes, access doors etc.

C) Install Security System.

- as required by our insurance company

Specific details to each stage will be planned and implemented upon possession, and further examination of the building.

General Labour:

A team of qualified individuals has been formed to oversee the specialized area's such as electrical, plumbing, heating, carpentry etc. 95% of the labour is to be supplied by volunteers and supporters of City Kidz, (see attached). We will also be using other government agencies such as the Elisabeth Fry Society and Ontario works.

Materials and Supplies:

A budget has been established for materials and supplies along with a task force to generate donations. Hotz Environmental Services has agreed to donate the paint needed for the building, approximately 15,000 square feet, or 50 gallons of paint. Negotiations are in process with several businesses concerning other materials and supplies, we are confident the bulk of the materials required for our initial start-up will be donated by local area businesses.

A Capital Building Fund has been set up to receive financial donations, more details on this will be given in Section IV - Financial Statements.

Financial Statements

SECTION IV - FINANCIAL STATEMENTS

Over the past three years we have seen tremendous growth financially as an organization. we believe our success is due to a few key factors that have formulated the foundation to our financial strategy: *visibility and diversity.*

1. Visibility

By increasing our visibility, we increase the opportunity that individuals will give their support to our efforts. When people gain an understanding where their investment is going there becomes a more personal inclination to give financially. Therefore a priority in any fund-raising projects, whether long term or short term is to generate a level of visibility in efforts to connect people, businesses, or organizations to our ministry and to gain long term financial supporters.

2. Diversity

Investigation shows that most charities receive their funding from a few limited resources, be it government grants, individuals or annual fund-raising. As long as the resources stay steady the charities are fine, but recent studies show that less and less money is being made available to charitable organizations. By *"not placing our eggs all in one basket"* we have been able to diversify our income. Thus if an income facet is shut off, the ministry doesn't lose 40% of it's funding. Because of the extent of our vision our long term goal is to be approximately 70% self sustaining, generating income within the organization and in essence paying for itself. This requires long term investment in certain pilot projects.

These are our present projects that have been implemented:

1. Monthly Sponsorship

Foundation Builder Program
For individuals, businesses etc., who desire to make a monthly financial commitment. See insert. Aimed at long term financial support. A Bi-monthly Newsletter is sent to various supporters bringing updates on the organization.

2. Annual Fund-raising Events:

Mystery Dinner
Various business contacts are invited out to a special evening of dinner, entertainment and information regarding the ministry of City Kidz. A donation is received at the end of the evening.

Entertainment Books
For the past three years City Kidz has sold these books containing saving coupons to our contacts and supporters of the ministry. Aimed at short term "boost" support, or targeted giving (giving for specific projects).

Merchandise Sales:
Ministry Material's such as books, curriculum , T-shirts are sold to help generate extra income.

Cans For Kidz
Recycling companies offer up to 50 cents a pound for aluminium. Because of the little amount of investment required this is an ideal fund-raising project that continues through the entire course of the year.

Bus Rentals
Since the purhcase of our own fleet of buses we have been able to assist other organizations and groups, as well as generate extra income.

3. One Time Gifts

Won by One Sponsorship Program
The won by one program allows individuals to sponsor individual children living in the inner city. See insert.

Weekly One Time Gifts
Staff are invited to speak at various events such as churches or special meetings. Following the events an offering is received, the offering then goes directly to City Kidz. During such events individuals join our mailing list and many become future Won by One Sponsors or Foundation Builders.

4. Designated Giving

Christmas Stocking Campaign
Beginning in October, funds are raised to purchase Christmas stockings filled with toys and candy for all the inner city children that attend City Kidz. While this event is targeted on a specific financial focus, the visibility gained during the campaign also lends potential for long term financial support.

Continual correspondence to Corporations and Foundations.
Because of the demand from charities on larger corporations, many of them have set in place a foundation that handles all their finances available to charities. The Directors of the foundation's evaluate each proposal and determine who the money is given to.

Capital Building Project
A Capital Building Project Team is in the process of being formed consisting of Business men. The Capital building generates one time gifts towards the purchasing of a building.

Financial Success and Credibility:

1995 - 1996 *Financed a $2000 computer administration upgrade, successfully completed.*

Mr. Chris Brown
Computers Ltd.
18 Arnham Rd.
Scarborough, Ont., M1R 2E7

1996 - 1997 *Financed a $3000 computer administration upgrade, successfully completed.*

Mr. Terence Leung
Southern NT Ltd.
705 Progress Ave. Unit 28
Scarborough, Ont., M1H 2X1

1996 - 1997 *Financed $9000 for the purchase of four 1985 school buses at payments of $750 per month. Our contract will be completed this September 1997. During this contract period we also successfully carried a $7000 Auto Insurance contract. We also purchased a fifth bus, and successfully maintained the entire fleet throughout the year.*

Mr. John Edelman
Haldimand Motors Ltd.
42 Talbot St. E.
Cayuga, Ont., NOA 1EO

Enclosed you will find several financial statements, charts, and graphs. If you have specific questions regarding any aspect of this section you may contact me for further information.

07/30/97

CITY KIDZ SUNDAY SCHOOL
Income Statement
January through June 1997

	Jan - Jun '97
Ordinary Income/Expense	
Income	
3000 · NON-RECEIPT. DONATIONS	3,518.98
3075 · TRANSFERS FROM CROSSFIRE	8,602.21
3100 · RECEIPTABLE DONATIONS	10,622.41
3200 · FUNDRAISER REVENUES	489.35
3250 · Sundry Income	1,170.03
3310 · GST Recovery	1,228.94
3400 · Bank Interest	2.79
Total Income	25,634.71
Expense	
4100 · ADMINISTRATION EXPENSES	806.85
4300 · AUDIO/VISUAL EXPENSES	199.98
4400 · Bank Charges	392.11
4600 · BUSES/TRANSPORTATION EXPENSES	9,904.53
4650 · CARNIVAL EXPENSES	7.21
4700 · COMPUTER EXPENSES	348.38
4800 · FUNDRAISER EXPENSES	1,270.65
5000 · HONORARIA	1,390.09
5100 · Insurance Expense	835.20
5200 · MINISTRY RESOURCES EXPENSES	286.55
5300 · Miscellaneous Expenses	994.98
5600 · PAYROLL	3,650.00
5700 · Payroll Expenses	193.06
5850 · REPAIRS/MAINTENANCE	182.30
5900 · SATURDAY SUNDAY SCHOOL EXPENSES	902.99
6000 · SPECIAL GIFT EXPENSES	26.81
6100 · STAFF APPRECIATION EXPENSES	95.51
6310 · Taxes, GST Paid	504.51
6600 · TELECOMMUNICATIONS EXPENSES	952.33
6800 · Youth Explosion	624.30
Total Expense	23,568.34
Net Ordinary Income	2,066.37
Net Income	2,066.37

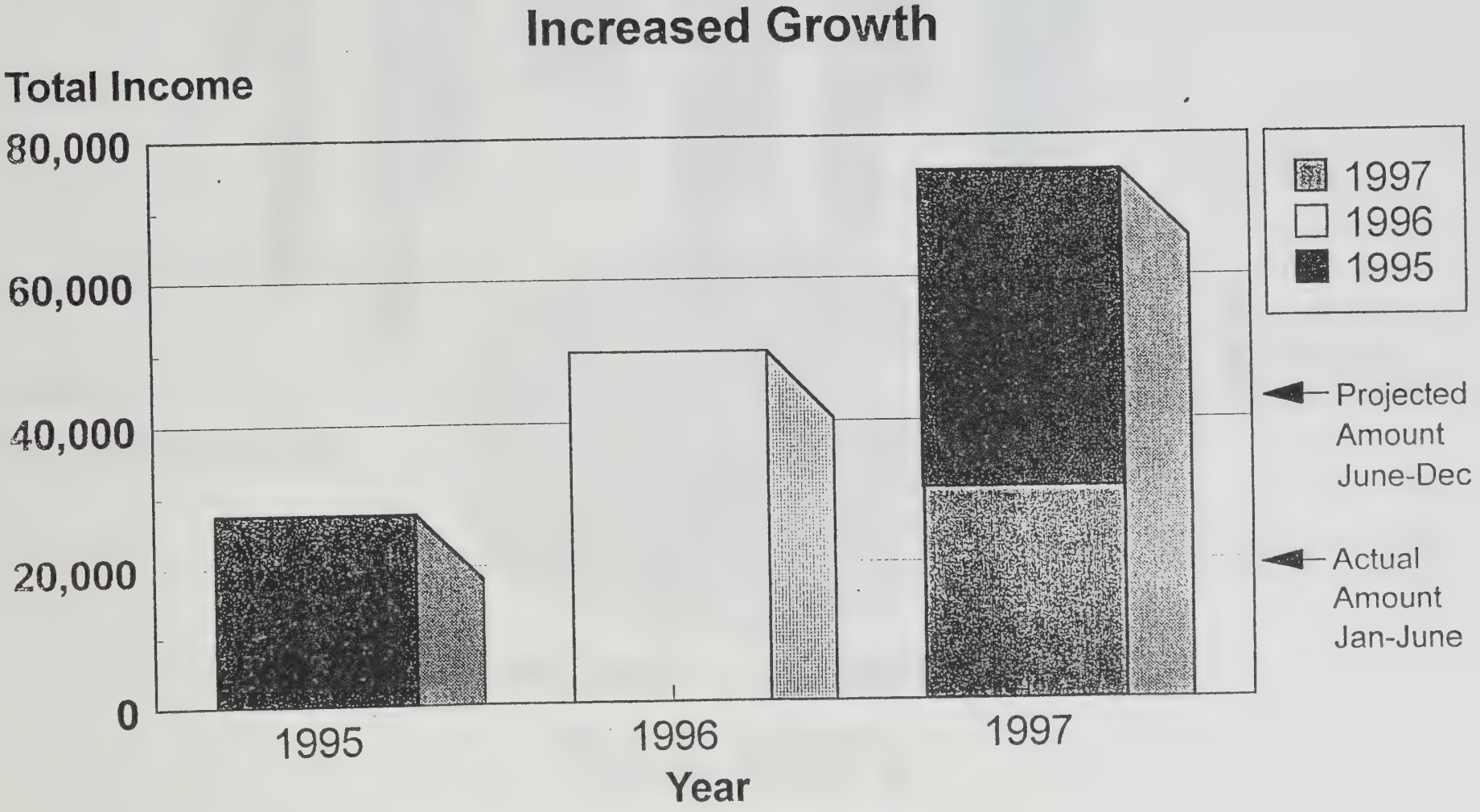
07/30/97

CITY KIDZ SUNDAY SCHOOL
Balance Sheet
As of June 30, 1997

	Jun 30, '97
ASSETS	
Current Assets	
Checking/Savings	
1040 · BANK, CURRENT	112.78
1050 · BANK, RESERVE	-109.23
Total Checking/Savings	3.55
Other Current Assets	
1400 · Prepaid Expenses	600.00
1300 · Accounts Receivable	1,088.94
1210 · Petty Cash Float	100.00
Total Other Current Assets	1,788.94
Total Current Assets	1,792.49
Fixed Assets	
1500 · Buses	8,696.64
1550 · Computer Equipment	6,765.96
Total Fixed Assets	15,462.60
Other Assets	
1700 · Accum. Depreciation	-2,046.20
Total Other Assets	-2,046.20
TOTAL ASSETS	15,208.89
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2000 · Account Payable	2,472.50
2220 · Payroll Liabilities	48.40
Total Other Current Liabilities	2,520.90
Total Current Liabilities	2,520.90
Long Term Liabilities	
2500 · Loans Payable	2,750.00
Total Long Term Liabilities	2,750.00
Total Liabilities	5,270.90
Equity	
2900 · Opening Bal Equity	7,871.62
Net Income	2,066.37
Total Equity	9,937.99
TOTAL LIABILITIES & EQUITY	15,208.89

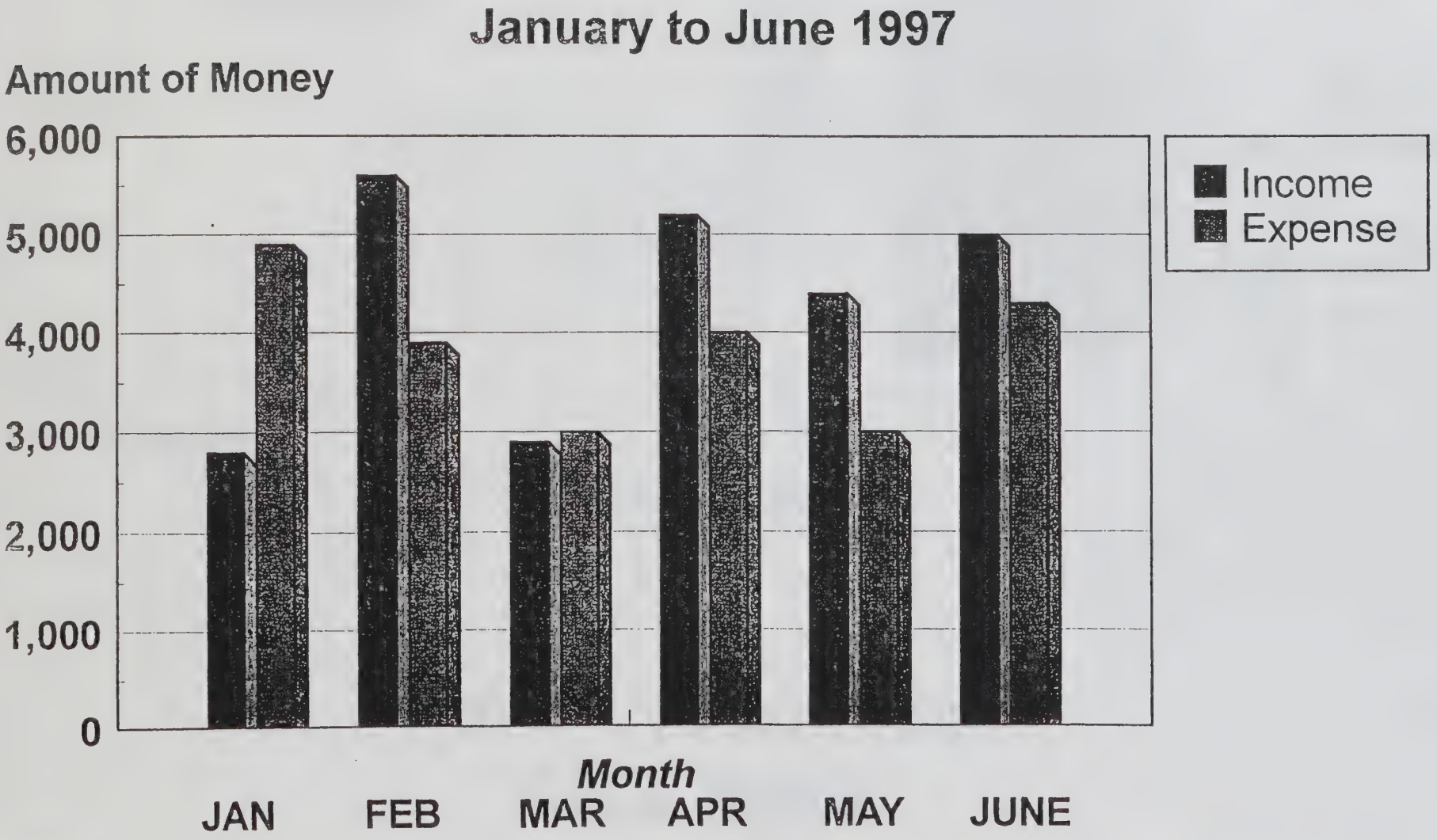
CITY KIDZ

FINANCIAL GROWTH CHART



CITY KIDZ

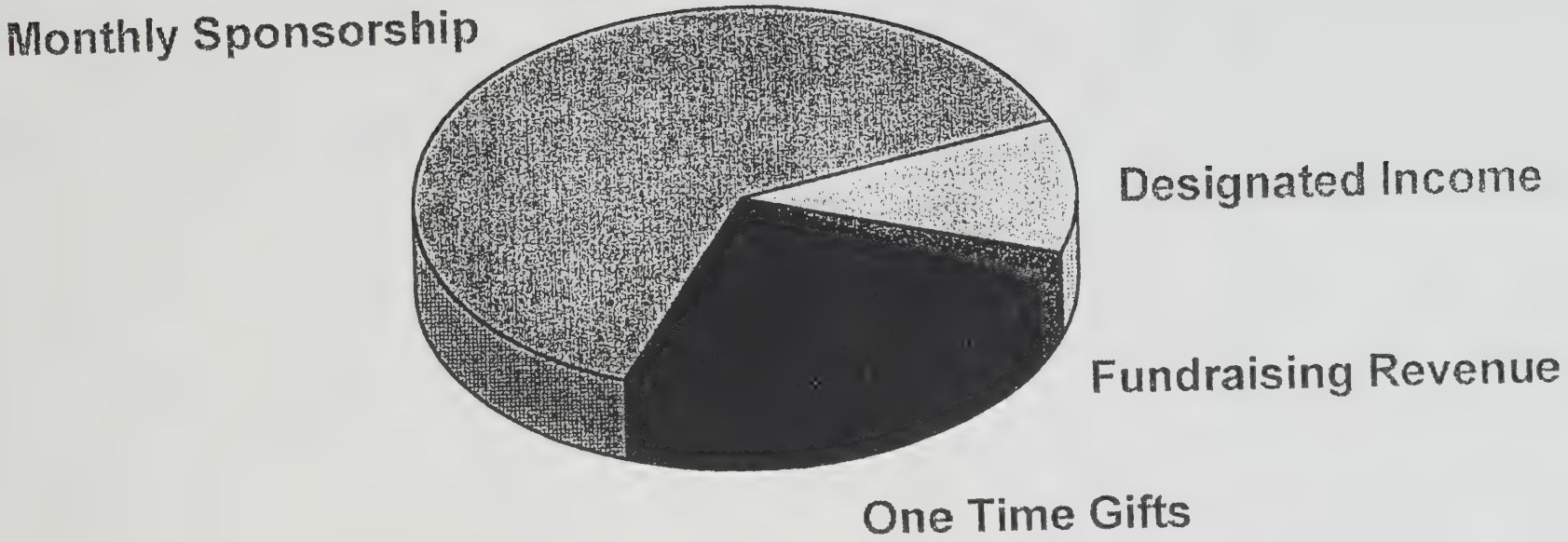
INCOME & EXPENSES



CITY KIDZ

Source of Income

January - June 1997



Conclusion

SECTION V - CONCLUSION

In conclusion, we believe this proposal represents a positive solution to the City for the sale of the Playhouse Theatre. We believe we have the resources and the people to make this proposal a reality. What we are asking the City for is simply to give us the opportunity to prove it. I know that together with the city's help, we can effect the lives of children and families living in our city.

Our regular seasons' activities begin September twentieth, and while temporary arrangements have been made, we would greatly appreciate a response to this proposal as soon as it is possible for the city to do so.

Once again, on behalf of the Board of Directors, Staff, and all the children, thank you for your time and consideration in this matter.

Sincerely,

Rev. Todd Bender
Pastor/Director
City Kidz

Doug Grierson
Board of Directors
City Kidz

Shirley McDonald
Board of Directors
City Kidz

VAN WYCK MORISON INSURANCE BROKERS INC.

Suite 3, 45 Frid Street, Hamilton, Ontario, L8P 4M3
(905) 526-9393 Fax (905) 526-9979 www.nas.net/~vwm

A. (b.)

September 12, 1997

Ms. Susan Reeder
Secretary of Finance and Administration
Committee
City of Hamilton
71 Main Street West,
Hamilton, Ontario
L8N 3T4

sent by fax: 1-905-546-2095

RE: City Owned Property being
Part of 1717 Upper James Street, Hamilton.

Dear Ms. Reeder:

Further to our conversation this morning I would like to speak to the finance and administration committee concerning our purchase of the above noted property.

We wish the committee to postpone its decision regarding any offers for the property pending our explanation of events which have led us to this point and allow us and any other interested parties to make a further offer in person and at the same time to the committee. Failing this we would like to amend our offer of delivered to you August 26, 1997.

Yours truly,

Fred Morison
secretary for 488523 Ontario Inc.

"Copy sent to Alderman Charters, Chairman, Finance & Administration Committee, and S. Hollowell, Manager of Administrative Services, City Clerk's Dept. - 1997 September 3"

Sept 2nd 1992

A. (c.) (i)

To the administration and Finance Committee of the City of Hamilton

The following Petition was signed by individuals for your consideration that the following Question be put on the Ballot. of the municipal election

Question That the District Health council should be elected by ballot From the community and not appointed.

Sincerely.

Mr. Melvin Allan Boudreau
12 Proctor Blvd. Apt # 205
Hamilton Ont

phone #
905-5492211

PETITION

To the Administration and Finance Committee of the City of Hamilton:

We the under signed petition for your consideration that the District Health Council should be elected from the community and not appointed.

Name:	Address:	Signature:
DAN MURRAY	171 WATERLANDS HAMILTON	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]

PETITION

To the Administration and Finance Committee of the City of Hamilton:

We the under signed petition for your consideration that the District Health Council should be elected from the community and not appointed.

Name:	Address:	Signature:
Hugh Martin	3-21 Montwood	Hugh Martin

PETITION

To the Administration and Finance Committee of the City of Hamilton:

We the under signed petition for your consideration that the District Health Council should be elected from the community and not appointed.

Name:	Address:	Signature:
Angela Spiteri	191 Main St. N. Hamilton	
[illegible]	[illegible]	
Ron Tessa	62 Bonnie St. Hamilton	
Debbie Richardson	7599 Kennedy Rd	
[illegible]	14th Hillcrest Rd	
Peter Shebib	34 Glendon Crescent Dr.	
[illegible]	[illegible]	
Jane Dixon	159 Cross St #2	
Dana Russell	2724 Hyslop Pl	
[illegible]	[illegible]	
Ellen Hall	[illegible]	
[illegible]	32 Whitford Ave	
[illegible]	1345 (Berlinston)	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]	
B. Schmidt	542 Barton St. E. Hamilton	

PETITION

To the Administration and Finance Committee of the City of Hamilton:

We the under signed petition for your consideration that the District Health Council should be elected from the community and not appointed.

Name:	Address:	Signature:
Kathy Smith Rn	79 King St. W Hagersville	
Heidi Hagan	7 Robinson St Hamilton	
[illegible]	3 Cardinal Cr Ham Ont	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	155 Fairlea	HAM
[illegible]		Ham
Ray Mash	444 Brock Ave	Stoney Creek
[illegible]	SPADINA	HAM
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Tom Hill	18 Hope St Dundas	
M. SMITH	11 Charrow Dr Hamilton	
M Fredette	604 Lorne Ham	
J D [illegible]	—	—
Helen Straker	44 Rosslyn Av.	Ham
Patricia Furman	194 Cumberland Ave.	Ham.
Ice Kiska	22 Brandon Drive	Stoney Creek

PETITION

To the Administration and Finance Committee of the City of Hamilton:

We the under signed petition for your consideration that the District Health Council should be elected from the community and not appointed.

Name:	Address:	Signature:
Steve Clark	83 Pearl St. North	
Rex Barger (REX BARGER)	HAMILTON L8N 2Z7	Rex Barger
[illegible]	199 RAYMOND HAMILTON, ON	[illegible]
Bill Medeiros	79 James St. S. Hamilton, Ont. L8P 2Z1	Bill Medeiros
Andrea Newman	175 Hunter St.	Andrea Newman
Norman Farrill c/o YMCA	79 James St S Hamilton	Norman Farrill
[illegible]	814-181 JACKSON ST W	MATTHEW SIMCOE
Stewart Jackson	18 RUTHERFORD	905 529 6611 Stewart Jackson
R Mott	103 Eirc Av. Ham	546-1491
Judith. L Chambers	100 Forest Ave #1804	528-9336
Stephanie Gearing	50 Woodman Dr. N. Ham.	560-1114

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

OFFICE OF THE CITY CLERK
SEP 05 1997
REC. BY SGH DATE
REF'D. TO S.R. DATE
REF'D. TO DATE
REF'D. TO DATE
ACTION: FYA

A. (c.) (ii)

September 5, 1997

SENT VIA FACSIMILE TRANSMISSION WITH ORIGINAL BY MAIL TO FOLLOW

Mr. J. Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Re: Model Tobacco Control By-law Committee Final Report and Presentation of Model Tobacco Control By-law, Item 10.12b)

Subjoined, please find a resolution approved by Regional Council at its special meeting held on September 4, 1997 respecting the above noted matter.

"That subsection b) of Item 10.12 respecting "Model Tobacco Control By-law Committee Final Report and Presentation of Model Tobacco Control By-law (CLE 97-012)", approved by Regional Council at its meeting of August 21, 1997, be deleted in its entirety and replaced with the following in lieu thereof:

"Item 10.12b) That the area municipalities be requested to **consider including** the following question on the electoral ballot for the November 10, 1997 Municipal Election, and that the response to this question guide the decision making process for the implementation of a Model Tobacco Control By-law in the individual Area Municipalities by June 1, 1998;

"_____ (name of municipality) is considering a Model Tobacco Control By-law that would make all public places and workplaces, **with some exceptions**, smoke-free by June 1, 2000.

Are you in favour of the Council of _____ (name of Municipality) passing this by-law?

Yes _____ No _____"

119 King Street West, 15th Floor
P.O. Box 910
Hamilton, Ontario L8N 3V9

Tel. (905) 546-4154
Fax (905) 546-2546
TDD (905) 522-1787

Your assistance in directing this resolution to the appropriate Committee of Council is appreciated.

Should you have any questions or concerns with respect to this matter, please contact the writer at (905) 546-4304.

Yours truly,

Mary Gallagher

Mary L. Gallagher
Legislative Assistant

EDUARDO D. NAVARRO
81-605 STONE CHURCH RD. E. HAMILTON ONT. L8W-3B5
PHONE (905)575-1023 FAX (905)575-5163
Email: navarred@muss.cis.mcmaster.ca

A. (c.) (iii)

TO: Susan Reeder
for Finance and Administration Committee

FROM: Eduardo D. Navarro

Ref.: LETTER REQUESTING A REFERENDUM QUESTION ON NOV. 10TH MUNICIPAL ELECTION.

Your support to the attached proposal will be appreciated not only by the undersigned, but by all your constituents. You will be given them a say an encouraged their participation and support, support needed to confront the challenges ahead such as the massive downloading and the expected demise of local government as we know it today.

You had been presented with this alternative in the month of August, today you will be examining Alderman D'Amico's proposal, therefore in front of you are three alternatives where the third (leave things as they are) is a non option. The future of your community and the shape of its government are in your hands.

Sincerely

Eduardo D. Navarro

cc. Mayor Robert Morrow
Hamilton City Council Members

EDUARDO D. NAVARRO

81-605 STONE CHURCH RD. E. HAMILTON ONT. L8W-3B5
PHONE (905)575-1023 FAX (905)575-5163
Email: navarred@muss.cis.mcmaster.ca

Hamilton, September 16, 1997

Mr. Bob Charters, Alderman W. 6
Chair Finance and Admministration Committee
City of Hamilton
71Main St. West
Hamilton, Ont.

Ref: **Request for a referendum question on Nov. 10th Municipal Election.**

Dear Mr. Charters

The undersigned resident of Hamilton hereby propose to the Municipal Council of the City of Hamilton the following:

To consider placing a referendum question on the ballot, in the upcoming Nov. 10th Municipal Election. Its object would be to obtain a mandate to reduce the number of the City Council members from sixteen (16) to eight (8) representatives, 1 per ward. Also to request that the Regional Municipality of Hamilton place a similar question to its citizens to reduce the size of the Regional Council to fifteen (15) to encompass the change through the region, restructuring in this manner our local government, with the support of its citizen, without waiting to be impose a design that will not reflect the wishes of our community.

The above will increase the level of time commitment of elected members which could be compensated by an increased on remuneration, (suggested 20%) for regional councillors. For Hamilton representatives the combined positions of city and regional councillors would become a full time position therefore a similar (20%) salary adjustment should be consider to both parts.

Cost efficiency will be achieve through actual savings in salaries, gain in extended hours of services and increased expedition by smaller numbers. The duties and responsibilities and remuneration will be comparable with those of elected officials in similar positions in other municipalities. ie. Peel Region, City of Mississauga. The Burlington City council has gone even further than my proposal by passing a resolution to reduce their numbers (from 16 to 6) as of the next election.

The proposed change has benefits in cost savings (approx. $200.000) at the Regional level and at the city level (approx. $120.000). The meaning of this action is more than financial, it is showing leadership and will to undertake the challenges aged. The citizens need and expect some action soon. The undersigned suggest that the citizens of the Region of Hamilton-Wentworth should have a say on the number of representatives that can meet their needs for representation and the cost that they are willing to pay.

Your consideration of the present will be appreciated for the benefit of our communities and our democratic principles.

Sincerely
Eduardo D. Navarro

cc. Mayor of Hamilton & Hamilton City Aldermen.

Note: Suggested questions:

- **"DO YOU WANT TO BE REPRESENTED BY 1 ALDERMAN INSTEAD OF 2 PER WARD IN THE CITY OF HAMILTON?"**
- **"DO YOU WANT TO REDUCE THE SIZE OF THE REGIONAL COUNCIL FROM 28 TO 15 MEMBERS?"**

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

3.(a.)

MEMORANDUM

****

TO: Mrs. Susan Reeder, Secretary
Finance & Administration Committee

FROM: Robert M. Morrow, Mayor
City of Hamilton

RE: CAPITAL GRANT REQUESTS DATE: August 25, 1997

May I give notice that I will move in consideration of the remaining Capital Grant requests at the next Finance and Administration Committee meeting. Would you ask the Chairman of the Committee to include that as an agenda item. I am told that the committee deferred on the item and I would like to ask if they would consider allowing me to address it at the next regular meeting of the committee. Enclosed is a list of grant requests which I would bring to them at this time. There will obviously be modifications in the amounts requested and I hope we can do what was done so successfully last year.

RMM:lt

"Copy sent to Alderman B. Charters, Chairman, Finance and Administration Committee - 1997 August 26th"

HAMILTON

City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone (905) 546-2790
Fax (905) 546-3165 TDD (905) 546-2448

CITY OF HAMILTON

OUTSTANDING 1997 CAPITAL GRANT REQUESTS

Exhibit 1

	Organization	Requested Amount	Purpose of Request
1.	Hamilton Filipino Community Centre	$40,000	- to be used in the restoration of the building
2.	Hamilton Victoria Curling Club	$9,990	- offset cost of repairs and replacement of equipment
3.	H.O. Model Engineers Society, Inc. (H.O.M.E.S.)	$9,000	- offset costs involved in relocating and lost revenue
4.	Lakeland Community Centre	$100,000	- renovations to the building
5.	Shalom Villa	$14,920	- to reimburse Shalom for development charges and to purchase stoves and fridges (Note: received $12,050 funding from Region; non-compliance w/ policy)
6.	The YWCA of Hamilton	$60,000	- to repair exterior brick veneer
	TOTAL REQUESTS	$233,910	

7. Portuguese Centre Development A 25,000

3. (a.) (i)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 August 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Excess or Surplus Capital financing during 1997 and Outstanding Capital Grant Requests

BACKGROUND:

Committee of the Whole at its meeting of 1997 April 3 agreed to table the Capital Grant requests until later in the year in order to determine if any excess or surplus capital financing identified during 1997 through the closure of capital project accounts, as approved by City Council may be available for funding capital grants.

The City Treasurer was directed by the Standing Committees and Council to close the following Capital Project Accounts with any excess funds being transferred to the original source of funding. These accounts were closed during 1997 January 1 through July 8 and were reported to Standing Committees and Council. As per direction noted above, the closed accounts are summarized below for review by the Finance and Administration Committee for consideration of their use in funding additional capital grants.

Centre No.	Description	Gross Cost	Total Expenditure	Excess Financing	Source of Financing
Library					
CF919241005	Concession Library Expansion	$1,924,000	$1,817,951	$106,049	Reserve for Capital Projects - Library
		$1,924,000	$1,817,951	$106,049	

Note: The Reserve for Capital Projects-Library was combined with the City's Reserve For Capital Projects in 1996, therefore excess funds would be returned to the City's Reserve.

Rec'd.
App'd by Committee 1997 Aug. 19

App'd by Council

Centre No.	Description	Gross Cost	Total Expenditure	Excess Financing	Source of Financing
Other Projects					
CF319341005	Major Maintenance to Civic Buildings	$350,000	$349,914	$86	Debenture
CF319441011	Main & Norfolk Fire Station - Mechanical /Electrical Retrofit	100,000	99,918	82	Reserve for Capital Projects
CF319441014	Mountain Composite Building-Roof Replacement	65,000	0	65,000	Debenture
CF319541002	C.U.P. - Capital Replacements	70,000	69,930	70	Capital Levy
CF319541003	Energy Management Projects	200,000	199,822	178	Capital Levy
CF319541005	Mountain Arena - Roof Replacement	410,000	207,673	202,327	Reserve for Capital Projects
CF319541009	Lawfield Arena - Roof Replacement	155,000	146,833	8,167	Reserve for Capital Projects
CF319541010	Replace Carpeting - Regional Offices in City Hall	142,000	117,566	24,434	Capital Levy
CF319641022	Energy Management Projects	111,000	110,910	90	Capital Levy
CF319641028	Dundurn Castle - Hot Water Boiler System Renovations	126,000	125,971	29	Reserve for Capital Projects
CF319651025	Copps Coliseum - Overhaul of Refrigeration & Air Conditioning Equip.	228,000	228,000	0	Capital Levy
		$1,957,000	$1,656,537	$300,463	

The excess financing noted above (including the Library project) was analyzed as follows:

Reserve for Capital Projects/Capital Levy	$341,426
Debenture financing (issued or yet to be issued)	$65,086
	$406,512

The excess debenture financing if previously issued, are reallocated to approved capital projects requiring debenture financing. If the excess debenture financing have not yet been issued, the debentures are not issued and the excess O.M.B. authorizations are cancelled.

The excess funds of Reserve for Capital Projects and/or Capital Levy available from closed accounts, such as proceeds of $341,426 noted above are transferred back to the Reserve for Capital Projects for financing future capital projects as outlined in the Capital Budget.

Attached as Exhibit 1 is a list of outstanding 1997 Capital Grants which were tabled at the Committee of the Whole meeting 1996 April 3, pending the identification of additional capital funds. In addition, through the Office of the Mayor, we have now received an additional request and is attached as Exhibit 2. If the Committee wishes to give further consideration to these requests, supporting documentation will be available at the Committee meeting.

Allan L. Lax

CK/jc

cc J. Pavelka, Chief Administrative Officer
R. Fair, Director of Culture and Recreation
K. Beattie, Grants Co-ordinator

CITY OF HAMILTON

OUTSTANDING 1997 CAPITAL GRANT REQUESTS

Exhibit 1

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6.	The YWCA of Hamilton	$60,000	- to repair exterior brick veneer
	TOTAL REQUESTS	$233,910	

From: Robert J. and Judith M. Smith To: Mayor, Bob Morrow Date: 97-07-04

JUL - 4 1997

Exhibit 2



CODE BLUE

ONTARIO EMERGENCY HELICOPTER COMMITTEE
255 West Ave. N., Hamilton, Ontario, L8L 5C8
Phone: (905) 527-6649 Fax: (905) 544-6795

Date : 03/07/97

Time : 09:48:26

Pages : 1

To: Bob Morrow, Mayor

Company : City of Hamilton

Fax Number : 546-3915

To Kevin Beaulieu

Dear Sir:

We understand that you have received a copy of the letter dated June 19, 1997 forwarded by Mr. Stan Keyes, with enclosures. In view of the urgency regarding an application for a gift of the Twin-Huey helicopter, we are seeking commitments of funding for the conversion of this unit. The commitment would be requested only if the helicopter was donated to us.

We are seeking a commitment from the City of Hamilton in the amount of $50,000.00 and from the Region in the amount of $100,000.00. Please process this request as soon as possible and advise.

Many thanks.

Sincerely

R.J. Smith, Treasurer, Past Chair.

"Copy sent to Alderman Charters, Chairman, Finance & Administration Committee, and A. Ross, Treasurer - 1997 September 3"

Federation of Canadian Municipalities
Fédération canadienne des municipalités

3. (b.) 17
July 9, 1997
1912
6714

Councillor **Bryon Wilfert**
Richmond Hill, Ontario
President
Président

Deputy Mayor **Jae Eadie**
Winnipeg, Manitoba
First Vice-President
Premier vice-président

Maire suppléant **Claude Cantin**
Québec (Québec)
Deuxième vice-président
Second Vice-President

Mayor **Léopold Belliveau**
Moncton, New Brunswick
Third Vice-President
Troisième vice-président

Mayor **John Les**
Chilliwack, British Columbia
Past President
Président sortant

James W. Knight
Executive Director
Directeur général

His Worship Mayor Robert Morrow and Members of Council
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Morrow and Members of Council:

TELECOMMUNICATIONS:
ACCESS TO MUNICIPAL RIGHTS-OF-WAY

I am writing to provide a written record of motions relating to telecommunications which were adopted by the FCM Big City Mayors Caucus in Québec City on May 9th and require the immediate attention of member mayors and councils.

The federal Telecommunications Act (the Act), which came into force in 1993, gave cable television companies the same legal right of access to municipal rights-of-way which telephone companies had enjoyed for years. Under the Act, telecommunications companies must obtain the consent of the municipality before accessing municipal rights-of-way. If the municipality does not comply, companies may apply to the Canadian Radio-Television and Telecommunications Commission (CRTC) for access, thus circumventing the municipality. Neither the Act, the CRTC, nor Industry Canada, has provided guidance on what terms and conditions the CRTC would deem reasonable for municipal governments to set before granting access.

In order to protect municipal taxpayers from the additional costs and liabilities which arise from the use of rights-of-way by telecommunications companies, FCM developed and circulated a model Municipal Access Agreement to all member municipalities in 1995. FCM encouraged members to apply the FCM Model Agreement in negotiating access to their

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24, rue Clarence Street, Ottawa, Ontario K1N 5P3
Telephone/Téléphone: (613) 241-5221 • Fax/Télécopieur: (613) 241-7440
International Office/Bureau international:
Telephone/Téléphone: (613) 241-8484 • Fax/Télécopieur: (613) 241-7117

rights-of-way by telecommunications companies. The FCM Model Agreement was also provided to Stentor Telecom Policy Inc., the alliance representing Canada's major telephone companies, and the Canadian Cable Television Association (CCTA).

FCM's position is that municipal governments must be able to control the quantity and location of telecommunications infrastructure on municipal property as well as access to municipal rights-of-way. Any additional costs and liabilities created as a result of the use of municipal rights-of-way should be borne exclusively by the corporations, not municipal governments and taxpayers. Finally, municipal governments should receive revenues over and above their expenses as proper compensation for the use of municipal property for profit. With video-on-demand, video game, internet and competing telephone and cable television services available, FCM believes that the days when telephone and cable television companies could enjoy rights and privileges as monopoly utility companies are over. Each municipal government has a responsibility to ensure that, in granting access to public rights-of-way, the interests of the community and taxpayers are in no way compromised.

During the past year, FCM refined its economic and legal arguments and continued to promote its position with member municipalities, the telecommunications industry and federal regulators. In February, FCM made its first-ever intervention before the CRTC to insist that the municipal consent provisions of the Act be honoured by telecommunications firms before they begin work on municipal property. The case involved the applications by Bell Canada and Telus Inc. to offer trial internet and video-on-demand services in Repentigny, London, Edmonton and Calgary. The CRTC's ruling on May 8th neither supported nor opposed the municipal position, stating simply that no specific remedial actions were required at that time.

The stakes on this issue are enormous and affect every municipality in Canada. Municipal governments have made it clear to FCM that they want to see national concerted action in defence of municipal rights. Through experience, our members have concluded that working together through FCM is the most effective and economical means to protect their fundamental rights respecting control of rights-of-way, to recover substantial costs being imposed on them by telecommunications firms using rights-of-way, and to secure new sources of revenue worth potentially

.../3

tens of millions of dollars annually. In response, FCM is implementing a national plan of action to raise awareness of the financial and liability implications for municipal governments, increase solidarity on the basic principles of the FCM Model Agreement, seek the agreement of the telecommunications industry to these principles, and to defend the municipal position before the CRTC or the courts should this become necessary. The active support of all member municipalities on this issue is most important.

I am pleased that the FCM Action Plan on Telecommunications received the strong support of the FCM Big City Mayors Caucus in May. For your information, I have attached a copy of Action Plan, a copy of FCM's Policy Statement on Telecommunications adopted at the 1997 FCM Annual Conference, as well as a written record of the telecommunications motions adopted by the FCM Big City Mayors Caucus in Québec City. These motions require the immediate attention of member mayors and councils of the Big City Mayors Caucus.

I am pleased to report that a number of members of the FCM Big City Mayors Caucus as well as other members have already pledged or sent in their contributions to the Municipal Right-of-Way Defence Fund. These include Vancouver, New Westminster, Surrey, Edmonton, London and Metro Toronto. With this letter, FCM hopes to enlist the full support and participation of Canada's major cities. In addition, FCM is writing to all member municipalities requesting them to undertake the same actions requested of the Big City Mayors Caucus.

I encourage your council to address these motions at your earliest opportunity, and to inform FCM of the results thereafter. I would also ask that you advise FCM of all new applications by telecommunications firms for access to rights-of-way and of any disputes with telecommunications firms which might exist or arise in your municipality.

Yours sincerely,

Jae Eadie
President

JE/dm:sd
Enclosure

FCM ACTION PLAN ON TELECOMMUNICATIONS: ACCESS TO MUNICIPAL RIGHTS-OF-WAY

Working together through FCM is the most effective and economical means for Canadian municipal governments to protect their fundamental rights respecting control of municipal rights-of-way, to recover substantial costs being imposed on them by telecommunications firms using rights-of-way, and to secure new sources of revenue worth potentially tens of millions of dollars annually.

1. **Awareness and Solidarity:** FCM will advise all member municipalities of the financial and liability implications of the rights-of-way issue and request municipal councils to endorse the five principles contained in the FCM Model Agreement and commit to reject any agreements with telecommunications firms which do not respect these principles.

2. **Fundraising:** FCM will attempt to raise funds from member municipalities. Member municipalities will be asked to contribute 3¢ per capita based on the 1991 census. In areas where both a regional municipality and its constituent municipalities are responsible for rights-of-way, the regional municipality will be asked to contribute 1¢ per capita and its constituent municipalities 2¢ per capita. All funds will be dedicated to the telecommunications issue for outside costs relating to necessary research, legal and other costs regarding interventions before the CRTC and the courts. FCM will continue to provide in-kind support through staff salaries and supplies.

3. **Research on Legal Position and Valuation Principles:** Once sufficient funds have been acquired, FCM will undertake research, using outside expertise where necessary, to prepare a strong legal position favouring municipal authority over rights-of-way and to establish sound principles for the valuation of municipal rights-of-way in Canada.

4. **Negotiations with Stentor, the CCTA and the Federal Government:** Once the research is complete, FCM, in consultation with members, will launch a new round of negotiations with Stentor Telecom Policy and the Canadian Cable Television Association (CCTA) to try to reach agreement the principles of the FCM Model Agreement. If a satisfactory agreement is reached, it would be presented jointly to the CRTC and Industry Canada as the basis upon which the Telecommunications Act should be interpreted. If a guarantee could be provided that the Act would, indeed, be interpreted in conformity with the agreement, the FCM campaign would end. Otherwise, a case would have to be brought to the CRTC either by FCM or the industry.

.../2

5. **Hearings of the CRTC:** Through its Subcommittee on Telecommunications, FCM will identify a dispute between a municipality and a telecommunications firm which would best serve as a precedent case for all municipalities if brought before the CRTC. With the support of FCM, the member municipality in question will bring the dispute to the CRTC. Alternatively, FCM may be forced to defend a municipality in a dispute which the industry may bring to the CRTC. Depending on the length and complexity of the hearings, legal and other costs could range from $100,000 to $400,000.

6. **Constitutional Court Challenge:** Stentor has suggested that it is prepared to mount a constitutional law challenge to the municipal consent provisions of the Telecommunications Act should matters not unfold to its satisfaction. Defending municipal rights in such a case could well cost more than intervening before the CRTC. Further fundraising as necessary would be undertaken should a constitutional court challenge be mounted.

FEDERATION OF CANADIAN MUNICIPALITIES
POLICY STATEMENT ON TELECOMMUNICATIONS
TELECOMMUNICATIONS - ACCESS TO MUNICIPAL RIGHTS-OF-WAY

HISTORY AND LEGISLATIVE BACKGROUND

As telecommunications networks were built in Canada, it became common practice for municipal governments to grant free right-of-way access to telecommunications companies.

The new *Telecommunications Act* (the *Act*) came into force in 1993 and significantly deregulated the industry. In May 1995, the Canadian Radio-Television and Telecommunications Commission (CRTC) released a report entitled "Competition and Culture on Canada's Information Highway: Managing the Realities of Transition". In addressing the issue of competition, one of the three broad policy areas in the report, the Convergence Report stated that "there was wide support for the operating principle that 'fair' and 'substantial' competition is in the best interests of consumers". It went on to note that "competition is generally recognized as the best means of stimulating choice . . . and economic growth". The Convergence Report made no reference to access to municipal rights-of-way nor to the impact that deregulation will have on municipalities.

EFFECT OF DEREGULATION ON MUNICIPAL GOVERNMENTS

In 1994, FCM struck a national technical committee with representatives from municipalities across Canada to address the potential impact of deregulation on its members. It is clear from recent experiences of municipalities and a review of the Convergence Report and the *Act* that greater demand is being placed on the limited resources known as rights-of-way. Competition and convergence will mean more requests for access to these municipal rights-of-way in future. Whether due to new companies entering the fray, existing companies wanting to expand their network or from companies "crossing over," municipal rights-of-way are quickly becoming a scarce resource. All municipal governments have to cope with rising administrative costs and increased liability associated with the presence of these infrastructures in their rights-of-way.

The current general practice of providing access to rights-of-way with little consideration of municipal interests is fundamentally unfair, contravenes existing legislation and is inconsistent with the new reality of competition in the telecommunications industry. Under the *Act*, the right of telecommunications companies to use municipal rights-of-way is subject to municipal consent. Municipal governments may therefore set terms and conditions in return for granting access. Section 43 of the *Act* provides that:

> "No Canadian carrier or distribution undertaking shall construct a transmission line on, over, under, or along a highway or other public place without the consent of the municipality or other public authority having jurisdiction over the highway or other public way."

Deregulation and the rapid changes in technology affect municipal governments in two ways. First, with existing technology, telecommunication companies must use municipal rights-of-way. These rights-of-way can only contain a finite number of facilities, including municipally owned infrastructure, various utilities and competing telephone and cable television wires. Second, a potential source of municipal revenue has been created which should allow for cost recovery as well as additional compensation for the use of public (municipal) assets for profit.

In early 1995, FCM approached both the Canadian Cable and Television Association (CCTA) and Stentor Telecom Policy Inc. (representing major telephone companies across Canada) to negotiate a model agreement for access to municipal rights-of-way. Stentor noted that it had serious reservations regarding FCM's proposed model agreement, but would be prepared to discuss the matter with FCM. The CCTA also expressed a willingness for dialogue but, to date, no serious negotiations have taken place. FCM's focus since 1995 has been to educate member municipalities on the issue and further develop its position in defence of municipal rights under the *Act*. On behalf of all Canadian municipalities, FCM intervened in a case before the CRTC in February 1997 in defence of the requirement of municipal consent for access to municipal rights-of-way.

In many cities, rights-of-way at many downtown intersections are already at capacity. Municipal governments must have the ability to assign locations and control the alignments used by each utility and telecommunications company. In addition, it will likely be necessary for municipalities to require joint use of ducts and the construction of common facilities in the future. Above ground facilities including overhead lines, cabinets, kiosks and pedestals have implications for the enjoyment of property by private owners and use of rights-of-way of way by citizens. In addition, where these facilities are placed in prominent locations, their negative visual impact reduces market value, thereby affecting municipal property tax revenue. Municipal governments must retain the right to determine the location of telecommunications facilities and to require that infrastructure be relocated below grade.

FCM'S POSITION

In FCM's model agreement presented to the telecommunications industry in 1995 and to the CRTC in February 1997, FCM established and defended five principles:

1. Municipal governments must have the ability to control the number and types of aboveground telecommunications pedestals, kiosks, etc., as well as the location of underground infrastructure.

2. The use of municipal rights-of-way by telecommunications companies must not impose any financial burden on municipal governments and taxpayers.

3. Municipal governments must not be responsible for the costs of relocating telecommunications infrastructure if relocation is required for urban planning or for other reasons deemed necessary by the municipal government.

4. Municipal governments must not be liable for economic loss, legal costs or physical restoration costs resulting from the disruption of telecommunications services arising out of the actions of a municipal government.

5. Municipal governments are entitled to receive revenues over and above direct costs associated with rights-of-way as compensation from corporations using public (municipal) property for profit, as federal and provincial governments do today.

SPACE ALLOCATION AND AESTHETICS/ENVIRONMENTAL CONCERNS

FCM recognizes that all users of rights-of-way should be afforded access on an equitable basis, providing they endorse the principles outlined above and recognize that they have no right to impose additional costs and liabilities on municipal governments and taxpayers as a result of their

activities. Joint use of limited space should be encouraged. The issue of reserve capacity, whereby the first company into the right of way would be required to construct additional duct banks for joint use, is being considered.

COST TO MUNICIPAL GOVERNMENTS/TAXPAYERS

a) **Out-of-Pocket Costs**

Sewer and water facilities are typically deeper than telecommunications facilities due to gravity flow and as protection against freeze-up. Municipal sewer and water facilities are far more difficult to construct than telecommunications duct banks. Municipal taxpayers are exposed to additional construction and maintenance costs for municipal infrastructure due to the presence of telecommunications duct banks in the rights-of-way.

These costs are due to:

- acquisition of sufficient rights-of-way;
- difficult alignments due to alternate space occupied by duct banks;
- locating, hand digging and supporting ducts to avoid damaging them;
- precautions required to avoid employee injury;
- reduced pavement utility and life cycle due to utility/telecommunication cuts; and
- administration of rights-of-way, including plan review, approval and inspection.

b) **Relocation Costs**

FCM believes that, should relocation of telecommunications equipment become necessary, such should not be done at the cost of the municipality. It is agreed that if a developer's project necessitated the relocation, then that developer should pay the cost of such relocation. If, on the other hand, the relocation is necessitated by a municipality, it should not be responsible for any of the costs, regardless of how soon after installation the relocation was necessitated.

Telecommunication companies use municipal rights-of-way knowing full well that ongoing municipal infrastructure maintenance and reconstruction is normal. Yet FCM is aware of one member municipality which needed to rebuild a bridge as it was no longer suitable for its primary purposes. That municipality and its taxpayers were expected to pay the cost of relocating the private telecommunication facilities attached to the bridge. Some measure of relocation is inevitable and this must be seen by utility and telecommunications firms as part of the cost of doing business. These firms must assume the full costs associated with necessary relocations of their facilities.

LIABILITY

FCM believes that municipal governments should not pay for any economic losses, legal costs, or physical restoration costs resulting from the disruption of telecommunication services arising out of the actions of a municipality. Rather, the costs of using the rights-of-way should be borne by the user of the rights-of-way. This principle is to be employed even if municipal personnel are negligent.

MUNICIPAL REVENUES

As noted above, FCM believes that all out-of-pocket expenses incurred by a municipality in administering the use of its rights-of-way should be fully recoverable. The question of whether revenue over and above municipal out of pocket expenses should be sought is more controversial. Historically, municipal governments viewed the utility companies as franchises and as a result gave their consent without any consideration of revenue. In FCM's view, however, deregulation of the industry has forced municipal governments to reconsider the practice of granting access without compensation.

FCM believes that private sector companies making profits using public rights-of-way should return some of the revenue to the municipality based on the carrier's gross revenue or meters of right-of-way used. In some jurisdictions in the United States, for example, telcos pay 5 % of gross revenues for access to municipal rights-of-way. FCM believes it is both more fair and consistent with the federal government's user pay philosophy that costs associated with the use of rights-of-way by telecommunications firms be absorbed by the users as opposed to property tax payers.

MODEL ACCESS AGREEMENT

A common approach can and should be taken on the issues embodied in the FCM model agreement. The model agreement has been made available to all member municipal governments. It has also been the subject of preliminary discussions between individual municipalities and Stentor member companies as well as CCTA member companies. FCM understands that some telecommunications providers have already entered into agreements with host municipalities based on the FCM model agreement.

FCM will continue to promote and defend municipal interests through the model agreement and in interventions or discussions with the CRTC and industry associations.

Strategies

FCM will:

a) advise member municipalities to not sign agreements with cable and other communications companies that in any way vary with the basic principles outlined in the FCM model agreement; and

b) advise member municipalities to inform FCM when approached by Stentor and CCTA member companies to sign agreements.

Adopted at the 1997 FCM Annual Conference

Motions Adopted by the FCM Big City Mayors Caucus - May 9, 1997

1. That the FCM Big City Mayors Caucus receive the FCM Action Plan on Telecommunications as information;

2. that each member of the FCM Big City Mayors Caucus undertake to have their municipal council endorse the following five principles outlined in the FCM Municipal Telecommunications Access Agreement before July 15, 1997:

   (a) municipal governments must have the ability to control the number and types of aboveground telecommunications pedestals, kiosks, etc., and the location of underground infrastructure;

   (b) the use of municipal rights-of-way by telecommunications companies must not impose financial costs on municipal governments and taxpayers;

   (c) municipal governments must not be responsible for the costs of relocating telecommunications infrastructure if relocation is required for planning or other reasons deemed necessary by the municipal government;

   (d) municipal governments must not be liable for any economic loss, legal costs or physical restoration costs resulting from the disruption of telecommunications services arising out of the actions of a municipal government unless grossly negligent; and

   (e) municipal governments must receive revenues over and above their direct costs in providing access to rights-of-way as proper compensation for the use of municipal property for profit.

3. that each member of the FCM Big City Mayors Caucus undertake to have their municipal council establish a policy by resolution or by-law, as may be necessary, whereby access to municipal rights-of-way will be denied to any telecommunications firm which does not agree in writing to the five principles as set out above, by July 15, 1997;

4. that each member of the FCM Big City Mayors Caucus undertake to have their municipality contribute on a per capita basis to the "Municipal Right-of-Way Defence Fund" as detailed in the Action Plan and Attachment 1 (fundraising table) to be used by FCM to protect the fundamental rights of municipal governments respecting control of municipal rights-of-way, to help municipal government recover substantial costs being imposed on them by telecommunications firms, and to help municipal governments secure new sources of revenue worth potentially tens of millions of dollars annually.

[unanimous approval of all recommendations except for Calgary's abstention from voting on motion #4]

Per Capita Contribution Table for FCM Big City Mayors Caucus (June 27, 1997)

Member Municipality of the FCM Big City Mayors Caucus	Population (1991 census)	Right-of-Way Fund Contribution @ 3¢ per capita *(2¢ per capita for members of regional governments which own rights-of-way/ regional portion = 1¢ per capita)
Vancouver	471,844	$14,155
Surrey	245,173	$7,355
Calgary	710,677	$21,320
Edmonton	616,741	$18,502
Regina	179,178	$5,375
Saskatoon	186,058	$5,582
Winnipeg	616,790	$18,504
Windsor	191,435	$5,743
London	303,165	$9,095
Kitchener	168,282	$5,048
*Hamilton	318,499	$6,370
*Mississauga	463,388	$9,268
*Etobicoke	309,993	$6,200
*Toronto	635,395	$12,708
*North York	562,564	$11,251
*Scarborough	524,598	$10,492
*Ottawa	313,987	$6,280
Montréal	1,017,666	$30,530
Laval	314,398	$9,432
Québec City	167,517	$5,026
Halifax	330,758	$9,923
St. John's	95,770	$2,873

CITY OF HAMILTON

3. (c.)

- RECOMMENDATION -

DATE: 1997 September 15th

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: Dinner Reception for 1997 OUAA - Ontario Universities Athletic Association - Golf Tournament.

RECOMMENDATION:

(a) That the City of Hamilton provide funding in the amount up to $3,000 to host a dinner reception at King's Forest on October 6th, 1997.

(b) The City Treasurer be requested to recommend method of financing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

McMaster University has asked the City of Hamilton to host a dinner reception for approximately ninety participants on October 6th, 1977 at King's Forest Golf Course.

McMaster University is hosting the Ontario Universities Athletic Association Golf Tournament from October 5th to the 7th, 1997. There will be twelve universities represented by five players, and one or two coaches per team. Appropriate signage and advertising acknowledging the City of Hamilton as a sponsor will be provided.

RMM/TW/pb.

cc: Allan Ross, City Treasurer
Ald. Bob Charters, Chairman of the Finance & Administration Committee

CITY OF HAMILTON

- RECOMMENDATION -

3. (d)

DATE: 1997 September 15th

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: Dinner Reception For Delegates of the Community Policing and Aboriginal Justice Symposium - October 1997

RECOMMENDATION:

(a) That the City of Hamilton provide funding in the amount up to $3,000 to co-host a dinner at the Hamilton Convention Centre on Thursday October 16th, 1997.

(b) The City Treasurer be requested to recommend method of financing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

The Six Nations Policy Commission has requested the City of Hamilton to sponsor a dinner for approximately two hundred delegates on October 16th, 1997 at the Hamilton Convention Centre. The cost of the reception is approximately $4,000. The City of Hamilton has been requested to co-sponsor the reception in the amount up to $3,000. Appropriate signage and advertising acknowledging the City of Hamilton as a sponsor will be provided.

The Community Policing and Aboriginal Justice Symposium is hosting the 26th Annual International Association of Police Community Relations Officers Conference on October 15th to the 19th, 1997 at the Hamilton Convention Centre. The theme for the 1997 Conference is Community Policing and Aboriginal Justice Symposium.

The International Association of Police Community Relations Officers is an organization that brings together police officers and professional community relation experts to exchange experiences and offer successful programmes to improve community relations on behalf of the law enforcement profession.

An International Convention is held each year where the business of the organization is conducted and workshops are held to bring its membership the latest ideas and information in the field of Police Community Relations.

RMM/TW/pb.

cc: Allan Ross, City Treasurer
Ald. Bob Charters, Chairman of the Finance & Administration Committee

3. (e)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 15th

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: Reception Dinner for dignitaries from Abruzzo Region of Italy.

RECOMMENDATION:

(a) That the City of Hamilton provide funding in the amount up to $700 to host a small reception dinner for approximately twenty-five people.

(b) The City Treasurer be requested to recommend method of financing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

A delegation from the Abruzzo Region of Italy will be visiting Hamilton as part of a North American tour on September 23rd to 25th, 1997. The delegation consists of the President, Vice-President, two Members of Abruzzo Parliament, the Chairperson for the Labour and Immigration Department, amongst other representatives of the Regional Government of Abruzzo. This is a high-level delegation consisting of eleven representatives. There is expected to be approximately twenty-five in total that will attend the City of Hamilton's reception. The estimated cost of this reception dinner at The Hamilton Club will be $700.

RMM/TW/pb.

cc: Allan Ross, City Treasurer
Ald. Bob Charters, Chairman of the Finance & Administration Committee

3 (e.) (i)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1997 September 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the cost of various Civic Receptions

RECOMMENDATION:

That the cost to host/co-host the following Civic Receptions for an estimated total amount of $6,700, be financed as an approved overdraft within the account Special Civic Receptions and Delegation Hosting, account number CH 54314 84010;

a) in the amount up to $3,000 for a dinner reception October 6, 1997 for the 1997 OUAA Golf Tournament;

b) in the amount up to $3,000 for a dinner reception October 16, 1997 for delegates from the Community Policing and Aboriginal Justice Symposium;

c) in the amount up to $700 for a dinner reception September 23, 1997 for dignitaries from the Abruzzo Region of Italy.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The identified account has expended amount of $63,966.19 as of August 31, 1997, compared to the 1997 budget of $45,000. The account has had a previously approved $20,000 overdraft to host a reception for the 1997 Canadian Country Music Awards. If approved, this additional overdraft of $6,700 would impact on the overall corporate surplus, which will be updated for the Committee based on September 30, 1997 balances.

BACKGROUND:

These identified receptions are presented to the Committee under separate reports from the Mayor's Office. Further details on these receptions can be found within the independent reports.

c.c. Mayor R. M. Morrow

5. (a.)

CITY OF HAMILTON
- RECOMMENDATION-

DATE: September 15, 1997

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Post Audit Letter - Recommendations and Comments concerning Accounting Systems, Procedures and Controls for 1996

RECOMMENDATION:

That the 1996 Post Audit Letter containing recommendations and comments affecting the City's accounting systems, procedures and controls and subsequent management action be accepted.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached is the 1996 Post Audit Letter issued by the City Auditors, MacGillivray Partners, Chartered Accountants. Included in the letter are observations on weaknesses of the existing systems audited, recommendations for strengthening these systems and the corrective action taken by management.

MacGillivray
Partners

Chartered Accountants

Standard Life Centre, Suite 650
120 King Street West
Hamilton, Ontario L8P 4V2
Telephone: (905) 523-7732
Facsimile: (905) 572-9333

Bruno K. J. Bragoli
Wm. Michael Cashion
Michael G. Collyer
Colin C. Dalingwater
John C. Dow
Paul Gibel
Wm. B. Stephenson

September 17, 1997

Mr. Allan Ross
Treasurer
The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

City of Hamilton
Post Audit Letter

Dear Mr. Ross:

I am enclosing a final copy of our management letter resulting from our audit of the City's 1996 financial statements.

We have separately reported to the Hamilton Public Library and to Municipal Non-Profit Housing matters that arose during the course of our audit.

If you have any questions, please let me know.

Yours very truly

MACGILLIVRAY PARTNERS

per Michael Cashion

Wm. Michael Cashion, BComm, CA
Partner/b
Enclosure

CITY OF HAMILTON

POST AUDIT LETTER

RECOMMENDATIONS AND COMMENTS CONCERNING
ACCOUNTING SYSTEMS, PROCEDURES AND CONTROLS
FOR THE YEAR ENDED 1996

JUNE 1997

MacGillivray Partners
Chartered Accountants

PREVIOUSLY REPORTED UNRESOLVED MATTERS AND MATTERS NOTED IN 1996 FOR THE FIRST TIME

CONTENTS

Previously Reported Unresolved Matters

	Page
Loan Programs	1
Allowance for Doubtful Accounts	2
Capital Leases	3
Audit Adjustments	4
Audit Committee	5

Matters Noted in 1996 for the First Time

	Page
Inventory	6
Unrecorded Loans	7
Post Dated Cheques	8

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS

LOAN PROGRAMS

(H.R.L.P., Community Heritage Fund Program, and Termite Control Loan Program)

Previously Reported Matters

These programs consist of loaning funds to homeowners for various specific purposes. As such, the only assets which the City should have recorded are Principal Receivable and Advances on Loans not Finalized. Currently there are other amounts recorded as assets and liabilities (eg. write-off, advances from province, receipts transferred to be reloaned, provincial and municipal grant portions) which should have been recorded through the appropriate reserves.

Adjustments should be made to record the loan program asset accounts at their appropriate amounts. As well, a review of the current system should be done to ensure that similar adjustments will not be required in the future.

Agreed - This item was agreed to in 1996 but time constraints did not permit the required analysis and entries. It will be done in 1997.

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS

ALLOWANCE FOR DOUBTFUL ACCOUNTS

Previously Reported Matters

The allowance for doubtful accounts on recorded accounts receivable is not reviewed on a regular basis to assess its adequacy.	On a regular basis the recorded accounts receivable should be reviewed by management and an accurate allowance for those that are deemed to be uncollectible should be recorded via journal entry into the trial balance. Also, it is recommended that all balances allowed for from the various accounts be reallocated to a suspense account in order to keep control over them.	This item was addressed by Management last year. It was determined that annual review of the allowance for doubtful accounts is sufficient and is consistent with how this allowance is reviewed by most Ontario municipalities. No additional action is required.

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS
CAPITAL LEASES		
Previously Reported Matters		
There exist a significant amount of current leases which meet the criteria of being capital in nature as defined by the C.I.C.A. Handbook. Primarily these leases were entered into by the Information Systems Department.	All significant leases entered into should be reviewed by management, and if the criteria of a capital lease is met, the asset and obligation should be properly recorded. It should be noted that the Library Board has properly accounted for such leases as being capital.	This item was agreed to last year. No new Capital leases were entered into in 1996. As new leases are entered into they will be recorded as Capital Leases. Prior years leases will be estimated.

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS
AUDIT ADJUSTMENTS		
Previously Reported Matters		
All adjustments which come about as a result of the audit are recorded as adjustments to the financial statements only, and are not recorded in the records of the City.	These adjustments should be recorded in the records via journal entry so that the books are kept up to date with all information that comes about as a result of the Audit.	This item was addressed in 1996. Consistent with Ontario Municipalities, certain items like allowance for doubtful accounts and allowance for Expropriation and insurance claims are set up as reserves. They are only set up as a liability after Council approval has been received.

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS
AUDIT COMMITTEE		
Previously Reported Matters		
The City currently does not have an Audit Committee or equivalent body who is responsible for oversight of the financial reporting process.	Although not required to have an Audit Committee, such a committee would ensure that reporting matters and audit observations are reviewed and dealt with on a timely basis.	The Finance and Administration Committee is also the Audit Committee. Last year, Committee decided to continue in this manner.

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS
INVENTORY		
Matters Noted in 1996 for the First Time		
In our sample of recorded inventory it has come to our attention that items are reported at improper quantities and unit costs. Also some goods were included in inventory which did not meet the definition of inventory as defined in the C.I.C.A. Handbook.	We recommend that management review the current system of recording inventory and implement the appropriate changes to ensure the accurate reporting of inventory.	Agreed. Change has already been made.

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS
UNRECORDED LOANS		
Matters Noted in 1996 for the First Time		
In our testing of recorded Reserves' expenditures, we have noted two loans made to third parties which are not recorded as assets.	We recommend that loans made to third parties be recorded as assets of the corporation.	Agreed. All loans will be corrected in 1997.
These loans were made on an interest-free basis and have extended payment terms.	Loans that do not bear market interest rates constitute a grant to the extent that the discounted value is less than the face amount of the loan. Accordingly, the discounted value of the loan should be recorded and an amortization schedule set up to account for loan repayments.	

OBSERVATION	RECOMMENDATIONS	MANAGEMENT COMMENTS

POSTDATED CHEQUES

Matters Noted in 1996 for the First Time

Postdated cheques received by cashiers for tax payments are not processed through the cash register upon receipt and are merely stamped received and filed in the treasury vault by date of cheque. If cheques are misplaced or misfiled, the taxpayer's arrears balance will automatically accrue interest which theoretically should not be recovered from the taxpayer. The cheques are kept in unlocked cardboard boxes which are susceptible to fire and theft. No record is kept of the postdated cheques on hand, therefore, if the entire inventory is lost for any reason, a recovery plan is not in place to ensure that the City could accurately communicate the loss to the taxpayer and have replacement cheques delivered.

Postdated cheques should be kept in a fire proof box as they do represent a future asset and should be secured as such. Postdated cheques should also be logged by appropriate personnel to ensure they can be recovered in case of loss.

Postdated cheques are kept in a fireproof vault after hours. The current system does not allow for processing these cheques through the Cash Register. Postdated cheques for business Tax and Realty Tax arrears are recorded and maintained on a spreadsheet. There are approximately 6,000 other postdated cheques processed annually. The cost to maintain manual records of these cannot be justified against the risk that a cheque may be misplaced or lost. Staff will investigate the ability to process these as received when the new POS system is implemented.

CITY OF HAMILTON

- RECOMMENDATION -

5. (b.)

DATE: 1997 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Pay-on-Foot Parking Control System - Financing

RECOMMENDATION:

(a) That the City Treasurer be authorized to set-up the cost of "Pay-on-Foot" - Parking Control System in the amount of $344,827. for the Eaton Centre Parkade and $305,537. for the Convention Centre Garage to a total of $650,364. as a Capital Project; and

(b) That the City Treasurer be further authorized to provide the above amount as a Capital loan to the Parking Authority as there are no funds available from the Reserve for Off-Street Parking and that the Parking Authority operating account be charged with the financing cost at the current 5 year Canada Bond Rate which is currently @ 5.53%; and

(c) That the above loan to the Parking Authority be financed from the Reserve for Debt Charges, Account Centre No. CH 00108, and be repaid back to the City as per enclosed Schedule "A" out of the Parking Authority Current Budget Provision for the Pay-on-Foot Lease Cost Provision.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

The Parking Authority's 1997 Current Budget presentation identified the pay-on-foot parking control system as a 1997 budget initiative. The budget as approved by Council 1997 April 3 (Section 1 of the FIFTH Report of the Committee of the Whole) includes a provision of $75,000 as the lease cost for each of the Eaton Centre Parkade and the Convention Centre Parkade.

The Parking Authority Board on May 27, 1997 approved that "the General Manager be authorized to purchase the Pay-on-Foot automated parking paystations from Ascom Canada at a cost of $344,827. for the Eaton Centre and $305,537. for the Convention Centre location".

Proposals were called for leasing service for the automated Parking and Revenue Control Equipment. The interest rate used for the calculation of lease costs (vendor rates vary between 7.547% per annum and 8.983% per annum for a 60 month term) was higher in comparison to the City's external debt financing cost (6.05% per annum for a 60 month term). Given this rate differential, it is determined that the acquisition of the above equipments for the Parking Authority should be provided by the City as a loan at a cost at the current 5 year Canada Bond Rate currently @ 5.53% per annum. The City will receive its short term investment rate and at the same time the cost to the Parking Authority will be substantially lower than the vendor's leasing costs.

NRA:jc
Encl.

c.c. P. G. Baker, General Manager Parking Authority

The City of Hamilton
Treasury

Schedule "A"

Internal Financing Through Reserve

Pay–on–Foot Parking Authority Capital Projects

From the Reserve for Debt Charges, A/c Centre No. CH 00108
The rate based on 5 year Canada Bond Rate as at September 16, 1997
Amortized Over Five Years @ The Rate Of 5.53%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
		Pay–On–Foot			
		Eatons Centre and Convention Centre Parkade			
		1997			
24–Sep–97					650,364.00
31–Dec–97	150,000.00	140,343.61	9,656.39	5.53%	510,020.39
31–Dec–98	150,000.00	121,795.87	28,204.13	5.53%	388,224.52
31–Dec–99	150,000.00	128,531.18	21,468.82	5.53%	259,693.34
31–Dec–2000	150,000.00	135,599.61	14,400.39	5.53%	124,093.73
31–Dec–2001	130,956.11	124,093.73	6,862.38	5.53%	0.00
31–Dec–2002	0.00	0.00	0.00	5.53%	0.00
	730,956.11	650,364.00	80,592.11		

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1997 September 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Declaration of Surplus Property/Transfer to Region of the former Part of Garnet Avenue, MaClanders Street and Limeridge Road West

RECOMMENDATION:

(a) (i) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049:

(1) Part of the former Garnet Avenue and the former MaClanders Street road allowance, being Part 18 on Plan 62R-11788;

(2) Part of the former Limeridge Road West road allowance, being Parts 2 and 3, Plan 62R-11800 (Part 2, being subject to Easements in Instrument Nos 191966C.D. and 183423C.D.);

(ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That the City transfer to the Regional Municipality of Hamilton-Wentworth the vacant parcels of land being part of the former Garnet Avenue and the former MaClanders Street road allowances, more specially Part 18, Plan 62R-11788, containing an area of .184 hectares (0.45 acres) more or less, and part of the former Limeridge Road West road allowance, more specifically Parts 2 and 3, Plan 62R-11800 (Part 2, being subject to Easements in Instrument Nos 191966C.D. and 183423C.D.), containing an area of 0.38 hectares (0.938 acres) more or less, and the funds derived from this transfer of $2 be credited to Account No. CH 4X999 00102 (Reserve for Property Purchases - Other Revenue); and,

(ii) That the Commissioner of Transportation be directed to prepare a By-law to sell the portions of Garnet Avenue and MaClanders Street, being Part 18, Plan 62R-11788 and Limeridge Road West, being Parts 2 and 3, Plan 62R-11800; and,

(iii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,

(iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act incorporating the following:

(1) satisfactory notice has been given to the public of the intended sale;

(2) no appraisal of fair market value of the real property intended to be sold as road allowances are exempt from the appraisal requirement of Section 193 of the Municipal Act;

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Where the City has determined that a property is available for sale (or other disposition), our Realty Sales By-law 95-049 states that a Council resolution shall also be passed to formally declare the property surplus to our municipal requirements.

The funds derived from this transfer of $2 be credited to Account No. CH 4X999 00102 (Reserve for Property Purchases - Other Revenue).

BACKGROUND:

The subject road allowances have previously been stopped, closed up and retained by the City of Hamilton. Garnet Avenue and MaClanders by Judges Order Instrument No. 301990A.B. in July 1973 and Limeridge Road West by Judges Order Instrument No. 253932A.B. in June 1972.

The purpose of the retention of these road allowances by the City in 1972 and 1973 was that they were within the designated limits of the future Mountain Freeway.

Consequently, with the inception of the Regional Municipality of Hamilton-Wentworth pursuant to Bill 155 in January 1974, the Region inherited a number of City of Hamilton responsibilities including the Mountain Freeway Project (now the Lincoln Alexander Parkway). As part of the responsibility for the Freeway Project, those lands that were in the name of the City for Freeway purposes where transferred into the name of the Region.

Given the large number of properties that were to be transferred to the Region as a result of these changes in responsibility i.e. road allowances, pipeline lands, water and sewage control facilities and Freeway properties, some properties did not become placed in the name of the Region.

A recent review of all properties required for the Freeway indicated that the subject road allowances had unfortunately been omitted from previous conveyances of City lands to the Region for Freeway purposes.

Subsequently, as it was the original intent of the City to incorporate these lands into the Mountain Freeway prior to 1974, we respectfully recommend at this time that these road allowances be transferred to the Region for $2.

In compliance with Real Property Sales Procedural By-law No. 95-049, I am reporting to your Committee:

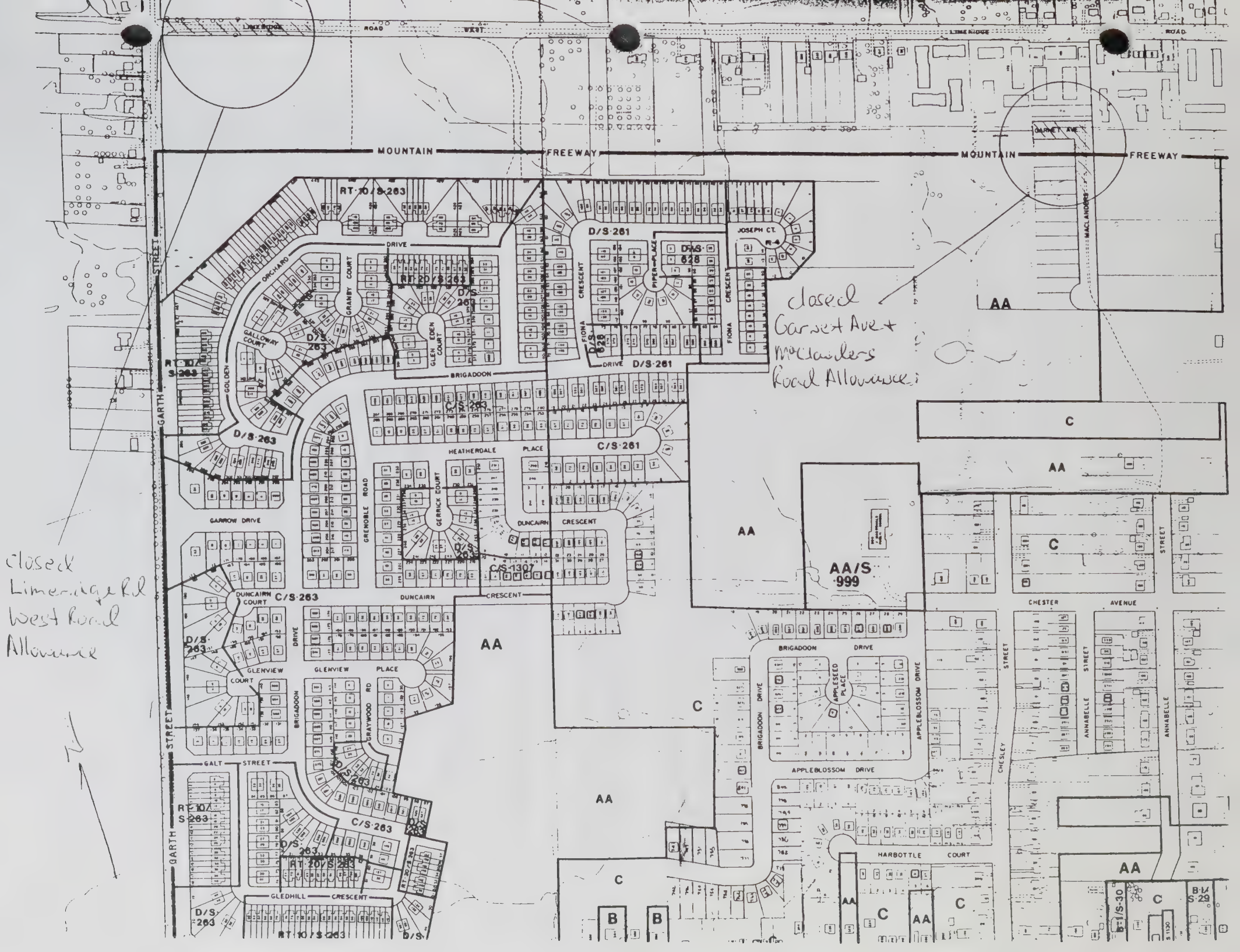
(a) Council in approving recommendation (a) of this report, has declared the subject lands surplus to the requirements of the City;

(b) that in accordance with the approved Method of Notice to the Public in Real Property Procedural By-law No. 95-049, satisfactory notice has been given to the public of the intended sale of the subject road allowances;

(c) no appraisal of fair market value of the real property being sold was obtained as road allowances are exempt from the appraisal requirements of Section 193 of the Municipal Act.

KN/nw

c.c. Alderman D. Ross, Alderman, Ward 8
Alderman Frank D'Amico, Alderman, Ward 8
P. Noé Johnson, City Solicitor
Attention: J. Davidson
A. Ross, Treasurer
K. M. Lau, Manager of Surveys, Roads Division
G. Aston, Director, Programming and Development, Roads Division


MOUNTAIN FREEWAY
MOUNTAIN FREEWAY
LIME RIDGE ROAD WEST
LIME RIDGE ROAD
GARTH STREET
GARTH STREET
MACLAREN'S
JOSEPH CT.
R-4
RT-10/S-263
RT-20/S-263
D/S-261
D/S-628
D/S-263
C/S-263
C/S-261
C/S-1307
AA
AA/S-999
C
B
B
ORCHARD DRIVE
GRANBY COURT
GALLOWAY COURT
GLEN EDEN COURT
FIONA CRESCENT
PIPER PLACE
BRIGADOON DRIVE
HEATHERDALE PLACE
GERRICK COURT
GRENOBLE ROAD
GARROW DRIVE
DUNCAIRN CRESCENT
DUNCAIRN COURT
GLENVIEW COURT
GLENVIEW PLACE
GRAYWOOD RD
GALT STREET
GLEDHILL CRESCENT
APPLESEED PLACE
APPLEBLOSSOM DRIVE
HARBOTTLE COURT
CHESLEY STREET
ANNABELLE STREET
CHESTER AVENUE
B-1/S-30
B-K/S-29
closed Garset Ave + McLaughlin Road Allowance
closed Limeridge Rd West Road Allowance

7. (a)

CITY OF HAMILTON

- RECOMMENDATION -

SEP 15 1997

DATE: 1997 September 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Ross L. Fair, Director
Department of Culture and Recreation

SUBJECT: Relocation of Irish Monument from Gage Park to City Hall Grounds

RECOMMENDATION:

That the monument commemorating the bi-centennial of Irish immigration be installed on the west side of City Hall grounds, at the grassed area immediately south of the Ontario Professional Engineers Time Capsule.

Ross L Fair

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Moving and installation costs will be met by various sponsors through the Wearing of the Green Committee (see Appendix "A").

The foundation construction will be done by the City and charged to Account CH 57301 31102, Dept of Culture and Recreation, Property Maintenance Division. Removal of the existing foundation at Gage Park will be undertaken by the Committee.

There are no legal implications.

BACKGROUND:

In his letter of 1997 July 22 to the City, Mr. Bill Gardner, Co-chair, Wearing of the Green Committee, reported that the Irish Monument recently installed at Gage Park had sustained damage through repeated instances of vandalism. The Committee requested that the monument be moved and reinstalled on the grounds of City Hall where security surveillance is more active. The fabrication of the monument itself was sponsored by Heritage Canada, the Ulster Canadian Club, the Irish Canadian Club and the Wearing of the Green Committee to mark the bi-centennial of Irish settlement in Hamilton. As such, it commemorates a significant part of the

DISCUSSION:

Its placement on City Hall grounds is consistent with its significance and with the similar installation of the sculpture "Migration" sponsored by the Canadian Ukrainian Congress, Hamilton Branch in 1992.

Other commemorative monuments on the west side of the grounds include "Day of Mourning" (Hamilton District Labour Congress, 1989/90) and the Professional Engineers of Ontario time capsule.

In 1992/3 a consultant's study on City Hall grounds use recommended that monuments be concentrated in the western sector of the property in a "memorial precinct" of sorts. The study's recommendations were never formalized in Policy form.

As such, the recommendation approved by Council on 27 July 1988 remains in affect. It is attached hereto as Schedule B.

RLF/CDY
attach

cc: D. L. Lobo Commissioner of Public Works and Traffic

RECEIVED AUG 1997

Schedule A
OFFICE OF THE CITY CLERK
JUL 22 1997
REC. BY JS DATE
REF'D TO SKR DATE
REF'D TO DATE
REF'D TO DATE
ACTION: FYA

7/30 Chechem! Jul 28 1997 Sure - hear goes. to see me -

July 22, 1997

Mr. J. Schatz
City Clerk
City Of Hamilton
71 Main St. W.
Hamilton, Ontario

RE: Relocation Of The Irish Monument from Gage Park to City Hall

Dear Mr. Schatz,

On March 17, 1997, as per the attached photo, we dedicated in Gage Park, a monument to all the Irish who settled in Hamilton, as a Bi-Centennial Project. In the ensuing 30 day period, it was vandalized three times, resulting in it being pushed completely over. This monument is sponsored by Heritage Canada, The Ulster Canadian Club, The Irish Canadian Club, and our Committee at an approximate cost of $5000.00, including the concrete foundation, and subsequent repairs. After due consideration, and consultation with the Regional Police patrolling Gage Park, it was concluded that to re-install it in Gage Park would result in its' demise.

At a meeting yesterday with Mayor Morrow and Terry Whitehead, His Worship concurred, and instructed us, to submit to you, our request to relocate this monument to the West Side of City Hall, at the City's expense. We are donating to the City the foundation at Gage Park, and the expense of a new foundation is $885.00, plus G.S.T., as per the attached Quotation from Beatty-Hall.

Our choices of sites, on the North-West Side of City Hall, are the centre of the grassy area immediately West of the Flag Pole, or the centre of the grassy plot immediately South of the Ontario Professional Engineers Time Capsule.

The monument is presently in storage at the Catholic Cemeteries premises, under the supervision of Mr. John O'Brien, whose staff will re-install it at the new location, when the foundation is ready, at our expense.

Please contact me at 527-4700, if there is any other information you require.

Respectfully,

Bill Gardner

Bill Gardner, Co-Chairman

cc: Mayor Morrow, T. Whitehead, J. Pavelka - City Of Hamilton
E. Cummings

"Copy sent to A. Ross, Treasurer - 1997 July 24"

WEARING OF THE GREEN COMMITTEE

BEATTY-HALL
Construction Co Limited

Established 1950
Industrial. Commercial
Institutional

June 25, 1997.

"WEARING OF THE GREEN COMMITTEE"
c/o Mr. William Gardner,
239 Hughson Street North,
HAMILTON, Ontario. L8L 4M4

Dear Mr. Gardner:

We are pleased to quote you a firm sum in the amount of **$885.00, plus G.S.T.**, to construct one concrete foundation identical to the one we installed for you in Gage Park.

We understand this will now be installed at City Hall and have assumed we will have adequate soil conditions. at 4'-0" below existing grade. All locates and layout will be by others.

We thank you for the opportunity of submitting this quotation and assure you of our complete co-operation at all times and remain,

Yours very truly,

BEATTY-HALL CONSTRUCTION CO. LIMITED

PER: Mark W Hall.

Mark W. Hall, C.E.T.,
Vice-President.

MWH/rg

75 Leland Street, Hamilton, Ontario L8S 3A1 Tel (905) 522-4631 Fax (905) 527-9011

5. That approval be given to the following policy to govern and regulate the installation of commemorative plaques, memorials, monuments, time capsules and trees upon the grounds outside City Hall.

(a) That the installation and location of commemorative plaques, memorials, monuments, time capsules, and trees upon the grounds of City Hall shall be subject to the consideration and recommendation of the Legislation Committee and approval of City Council.

(b) That each application be considered on its own merits with the view to examining and identifying the impact and importance of significant contributions made to the overall growth and development of the City of Hamilton by the organization or group.

(c) That the design and quality of materials used in any structure shall be subject to the approval of the Legislation Committee and City Council. The Director of Property shall prepare a report for the Legislation Committee on each application commenting on the aesthetics of the exterior appearance of any structure to ensure that it does not detract from the grounds of City Hall.

(d) That the cost of materials and labour to supply and install any structure or plant the tree(s) shall be the responsibility of the organization or group.

(e) That the City will attempt to accommodate the Donor with the choice of the tree(s) where the species is available and where the climate and growing conditions are appropriate for such species.

(f) That the cost of any replacement plaque etc. as the result of vandalism or theft shall be the responsibility of the organization or group.

(g) That the wording to be contained on any plaque shall be approved by the Legislation Committee and City Council.

(h) That an agreement be entered into between the City and the applicant with respect to the actual entry upon City lands, construction of the plaque, monument, memorial, time capsule, or tree planting and its continued presence on the site.

(i) That the City always retain the right to relocate the plaque, monument, memorial, time capsule or tree to another location in the event the City requires the land for other municipal purposes at the some time in the future.

7. (b)

CITY OF HAMILTON

- RECOMMENDATION -

SEP 16 1997

DATE: 1997 September 16

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Ross L. Fair, Director
Dept of Culture and Recreation

SUBJECT: City Hall and Its Grounds
- Development of a Grounds Use Policy
- Preparation of Capital Renovations Plans for Building and Grounds

RECOMMENDATION:

a) That the Director of Culture and Recreation and the Commissioner of Public Works and Traffic be authorized to develop a Grounds Use Policy to guide decision-making relative to the placement of commemorative plaques and for use of the grounds for community events; and

b) That a team consisting of representatives from the Culture and Recreation; Public Works and Traffic; City Clerks and Building Departments convene under the Chairmanship of the Director of Culture and Recreation to develop comprehensive plans for the retrofit of the City Hall Building and Grounds, Summers Lane and Commonwealth Square in consultation with HECFI and the Art Gallery of Hamilton for inclusion as capital projects for consideration during the preparation of the 1998-2007 Capital Plan.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Ross L. Fair

There are not any financial, staffing or legal implications for the Corporation relative to the first recommendation.

All elements in the second recommendation carry with it significant capital costs should Council choose to proceed. The plan will present a vision and priorities for the retrofit of these important downtown landmarks. Partial study funding for the building and grounds are in place, however, additional funding will be required in future capital budgets in order to more fully develop the building retrofit strategy.

The interdepartmental staff team has been meeting to review priorities and the completion of existing projects.

DISCUSSION:

City Hall was constructed in 1960 and now, 37 years is showing signs of age. The current maintenance mandate has been to repair and maintain as needed. While this approach has enabled staff to take care of certain priority repairs during difficult funding years, it is clear to staff that a comprehensive plan is required relative to function, infrastructure and aesthetics. The proposed study would identify a comprehensive approach to revitalize the building on the assumption that this site will remain the centre of local government, irrespective of form, for the foreseeable future.

The grounds of City Hall have traditionally **functioned** in several ways: (1) civic government precinct, (2) axis point for pedestrian paths to and from the Art Gallery, Hamilton Place, the Convention Centre, Jackson Square, Football Hall of Fame, Whitehern and the Durand neighbourhood, (3) recognizable route marker for vehicle traffic between the highway 403 exit and points east along Main Street, (4) location for memorial plaques and events, (5) a roster of annual special events of different kinds, (6) seasonal floral displays, (8) Christmas/Hanukah displays.

The pedestrian paths mentioned above are those most frequently used; there are about six of these, half following perimeter sidewalks, and half winding through the grounds.

Maintenance work primarily concerns two parking lots, a hard-surface plaza bordering Main Street, the entrance to the Football Hall of Fame, four City Hall entrances, two fountains, horticultural and lighting requirements, and security issues. The parking lots were recently re-designed and re-constructed: new lighting and landscaping were installed. The original layout of hard surface elements surrounding the building remains essentially the same although routine maintenance has resulted in the use of substitute materials.

Over the years, three **sculptures** have been installed: "Touchdown", "Day of Mourning" and "Migration". A consultant's study, generated by public art concerns, was received in January 1993 by the Finance and Administration Committee.

Since that time, the courtyard garden between the building and the parking garage has been re-vitalized, trees replaced in various locations as needed, a memorial garden space created adjacent to Main Street, a new sign for the Football Hall of Fame erected at Main Street, and renewal work done on the second-floor vehicle bridge.

Accessibility and safety needs are addressed as a priority.

The scope of the review would include Commonwealth Square and Summers Lane given the close promixity of these sites to City Hall and their importance to the overall location within the downtown.

cc: D. Lobo, Commissioner of Public Works and Traffic
J. Schatz, City Clerk
L. King, Building Commissioner

7.(c.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 15 SEP 15 1997

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R. L. Fair, Director
Culture and Recreation Department

A. C. Ross
Treasurer

SUBJECT: **St. John Ambulance - Financial Assistance for Fiscal 1997**

RECOMMENDATION:

a) That funds in the amount of $20,100 be granted to the Hamilton-Wentworth Branch of the St. John Ambulance to assist with offsetting the impact of a loss of base funding support from the United Way of Burlington-Hamilton and in recognition of the outstanding public service provided by this community agency; and

b) That this expenditure be financed as an approved overdraft of the budget of the Department of Culture and Recreation; and

c) That consideration be given to this matter as an expansion package in the preparation of the 1998 Current Budget; and

d) That the area municipalities of the Region of Hamilton-Wentworth and the City of Burlington be encouraged to support St. John Ambulance in a commensurate fashion.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The funding shortfall due to the withdrawal of core funding by the United Way is $37,000.

The Regional Municipality of Hamilton-Wentworth has agreed to contribute $10,000, leaving a net shortfall of $27,000.

As 80% of St. John Ambulance first aid service was determined to have occurred in support

of events within the City of Hamilton, the assumed target is $21,600.

A further contribution of $1,500 from HECFI reduces target to the recommended level of $20,100 for City sources.

The recommendations represent a commitment fiscal 1997 only. Consideration to ongoing support will occur during the preparation of the 1998 current budget.

The commitment for HECFI consists of advancement of $1,500 in accumulated fees from event organizers at these city facilities and an ongoing annual commitment of $5,000. Finally, HECFI has committed to providing one of its facilities for a fund-raising event organized by St. John Ambulance at a negotiated rental rate.

BACKGROUND:

At its meeting of 3 April 1997, the Committee of the Whole considered correspondence from Mr. Alaric Woodrow, of the St. Johns Ambulance concerning a loss of funding from the United Way of Hamilton-Burlington. A shortfall of $37,000 was identified for fiscal 1997. Staff were directed to give consideration to the matter and report back.

DISCUSSION:

Staff met with Commander Woodrow on 5 June 1997. At that time Mr. Woodrow provided copies of financial statements and public service records for fiscal 1996.

It was apparent from the review of this documentation that:

* the organization was in good shape financially, but that the reduction of $37,000 represented a 10% reduction in revenues.

* the organization was a busy and active one in serving its communities.

A detailed analysis of the events it attended revealed that 80% occurred in the City of Hamilton. Of this total, 50% were in HECFI facilities, the remainder at sporting and cultural events generally supported by the City.

City and HECFI staff met on 5 September 1997. HECFI officials indicated that it has been their practice to assess a $25 surcharge on event holders at HECFI venues. These funds were held and paid to St. John's ambulance in the following fiscal year, when the entire operating year's amount has been collected. Mr. Macaluso has indicated that HECFI would be prepared to forward 1996 receipts totalling $1,500 immediately as opposed to waiting until next year. He indicated further that he will increase the prescribed per event surcharge to $50 effective immediately. This increase should enable HECFI to be able to turn over about $5,000 annually to St. John Ambulance. He also indicated that HECFI would be prepared to negotiate with officials from St. John's Ambulance relative to rates for use of a HECFI facility for a major St. John's organized fund raiser.

From a City perspective, support for St. John Ambulance represents a worthy investment in public safety at community events. The charter of the agency prevents it from charging a fee for its services.

During current budget deliberations consideration will be given to the extent to which ongoing financial support is necessary and, if so, whether all or a portion of this funding should be levied against event organizers as a user fee. This review will be undertaken in full consultation with St. John Ambulance. If additional ongoing support is to be recommended it will be in the form of an expansion package.

For its part, Commander Woodrow has indicated that it was his goal to not have to rely on a grant from the City and that he and his Board would be actively seeking private and other avenues for generating additional revenues.

RF/KB:mp

cc: Gabe Macaluso, CEO, HECFI
John Leuser, Director of Finance and Administration, HECFI
Commander Alaric Woodrow, St. John Ambulance

THE PARKING AUTHORITY OF THE CITY OF HAMILTON

PETER G. BAKER
GENERAL MANAGER

CHAIRMAN
ALDERMAN VINCE AGRO

VICE-CHAIRMAN
ALDERMAN FRANK D'AMICO

MEMBER:
ALDERMAN TERRY ANDERSON

DATE: *August 26, 1997*

REPORT TO: *Susan K. Reeder, Secretary*
Finance and Administration Committee

FROM: *Peter G. Baker, General Manager*
*The **Parking Authority of the City of Hamilton***

SUBJECT: *Proceeds from Sale of Municipal Carparks*

8.

RECOMMENDATION:

That the proceeds from the sale Municipal Carpark property be credited to the Reserve for Offstreet parking.

Peter G. Baker, General Manager

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

***The financial implications** of this recommendation are covered in two (2) areas:*

(1) The Council-approved 1997 Operating budget and accompanying financial plan for the Authority included expected proceeds from the sale of $195,000 worth of surplus carpark lands. It was the Authority's expectation and that of Council that these funds would be forthcoming; and to date proceeds from the sale of two carparks (16 McGill Street and 1453 Main Street East) totalling $83,500 have been placed by Treasury into the City Reserve for Property Purchases rather than the Reserve for offstreet parking account.

*(2) The **Parking Authority** has spent considerable funds in maintaining a number of otherwise unprofitable locations to support commerce in the areas concerned but in the assumed knowledge that the funds invested in the land would be credited to the Authority if they were subsequently sold.*

***The Legal implication** of this recommendation is found in an existing Council regulation which dictates that the source of funds used to purchase City property be subsequently credited with the proceeds from any sale.*

BACKGROUND:

*The **Parking Authority** has, to date, always received the proceeds from the sale of any of the carparks operated for the Municipality. (Not including the subject properties the Committee should be advised that $74,000 has been deposited during 1997 to the Reserve for Offstreet parking from sales of undisputed properties.)*

*The **Parking Authority** has always maintained all carparks it manages regardless of the original source of funds used to transact the purchase. For example some Barton Street carparks were funded from redevelopment funds of different levels of governments. Further, the property at the corner of James and Wilson Streets was funded by three (3) levels of government as part of the York Street re-development programme. In recent years the Authority has spent over $1.2 million on capital improvements on these types of properties.*

OTHER:

*This recommendation was directed to the Finance and Administration Committee by the Board of the **Parking Authority** following its August, 1997 meeting.*

cc City Treasurer

9.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 25

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: 1997 Vehicle Replacement Program

RECOMMENDATION:

That the replacement of 59 vehicles in the 1997 Vehicle Replacement Program be upgraded to include an additional 4 units, at an estimated cost $120,000. be funded from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101, not to exceed the $2.4 million 1997-2006 approved Capital Budget Program.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- The 1997-2006 Provisional Capital Budget program has a provision, in 1997, of up to $2.4 million allocated for the replacement of vehicles funded from the Reserve for Replacement of Mobile Equipment, designated for this type of expenditure.

- The additional 4 units should not exceed the original estimate of $1,716,350 for the replacement of vehicles in 1997, this based on analysis of expenditures versus estimates of the 1997 vehicle acquisitions.

- Savings in repairs and maintenance will be achieved as a result of upgrading this equipment.

- The program is funded by the equipment replacement reserve, which is sustainable through yearly payments made by the vehicles under the guidelines of the ten year vehicle replacement program.

BACKGROUND:

The Vehicle Replacement Program provides an efficient and effective yearly vehicle replacement program for the City of Hamilton. The program is funded by the equipment replacement reserve. Vehicles make yearly payments to replenish the reserve and to fund future replacements, the reserve is sustainable under the guidelines of the ten year vehicle replacement program. The vehicle replacement program ensures that the City's fleet meets the required Government standards as well as providing the most effective and efficient fleet for the various user departments.

In an attempt to improve the purchasing cycles of units purchased in the past we have strived to expand the purchase of similar units and to reduce the large fluctuations for funding of vehicle replacements. Our present program attempts to purchase a wide range of equipment and to prevent user groups from requiring too many units in one year. This also minimizes the possibility of purchasing a large number of similar models produced in a faulty production year. In our attempt to flat line the purchasing cycle we have had to try and stretch the cycle of units purchased in 1987, 1988 and 1989. In a few circumstances the cost of unexpected catastrophic repair has forced us to review the cost and efficiency of replacement versus major repairs. The circumstances of this recommendation is based on the 10 year life to date costs and the pay back analysis of the 4 units.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the Fleet complement.

CG:DL\

c.c. C. Guthro, Manager of Fleet Services, Public Works & Traffic
D. Manningham, Vehicle Acquisitions Officer, Fleet Services, Public Works & Traffic

10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 12

REPORT TO: Susan K. Reader, Secretary
Finance and Administration Committee

FROM: D. Lobo
Commissioner of Public Works & Traffic

P. Noé Johnson
City Solicitor

SUBJECT: Claims Adjusting Services - Extension of Terms of Engagement

RECOMMENDATION:

(a) That the Terms of Engagement with the City's Claims Adjusters, Crawford-THG, be extended from 1997 September 28 to 1998 September 28 with a $1 increase in the hourly rate, and

(b) That the Commissioner of Public Works and Traffic and the City Solicitor be authorized to initiate a Request for Proposal for claims adjusting services.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding is available through the General Damage Claims Account CH55296 24130. An increase of $1 per hour would result in an additional cost of approximately $1,440. from 1997 September 28 to 1998 September 28.

BACKGROUND:

On 1994 September 27, City Council approved the Terms of Engagement for Crawford-THG to provide the City with claims adjusting services. The Terms of Engagement began on 1994 September 28 and are scheduled to expire on 1997 September 28.

The City is in the midst of a Request for Proposal in respect of Property and Casualty Insurance Broker(s) of Record responsible for the City's insurance portfolio and related risk management services (including providing advice with respect to claims services and management). Responses are required to be received by the City on 1997 September 22 and staff recommendations will be considered by Council on 1997 October 14.

It would be appropriate to complete the selection of the Insurance Broker(s) first so that they can be involved and provide advice and expertise in respect of the subject Request for Proposal and selection of a claims adjusting firm. It is advisable to have involvement of the broker(s) as an extra layer of advice given the large numbers of claims which fall below the City's deductible and therefore potential payable by the City's reserves.

Crawford-THG are in agreement to extending their current claim service relationship with the City for a further one year period but are requesting a small increase in their professional hourly rate. Currently, the City pays $65/hr. Crawford- THG are requesting an increase in the professional hourly rate to $66. Crawford-THG has not had an increase since 1994 and continues to provide the City with a special preferred price structure. The current professional hourly rate for their Hamilton Claims Branch is $85 plus office expenses. A $1 per hour or 1.54% increase is well below the 1996 Stats Canada Consumer Price Index Average of 2.2%. It is confirmed that the service provided by Crawford-THG continues to be more than satisfactory.

Accordingly, it is recommended that the Terms of Engagement with Crawford-THG be extended to 1998 September 28 and that their professional hourly rate be increased by $1 to $66. Once the appointment of Insurance Broker(s) is completed, a Request for Proposal for claims adjusting services will be initiated.

cc Mr. J. Leuser
Director of Finance & Administration
H.E.C.F.I.

"Copy sent to A. Ross, Treasurer - 1997 August 26th"

BAY AREA RESTORATION COUNCIL
OF HAMILTON-WENTWORTH AND HALTON REGIONS INC.

Room B130F, Life Sciences Building, McMaster University, Hamilton, Ontario L8S 4K1
Telephone (905) 525-9140 Ext. 27405 Fax (905) 529-6066

11.(a.)

To FTA committee
+ all c.c. members

Mayor Bob Morrow
& Council
City of Hamilton, Public Works
71 Main Street West
Hamilton, ON L8N 3T4

August 7, 1997

Dear Honourable Mayor Morrow:

The Bay Area Restoration Council (BARC) is seeking community support to continue our work of overseeing the cleanup of the Hamilton Harbour ecosystem. There have been marked improvements in water quality, public access and recreational opportunities in the harbour area. The presence of key bird species and over 55 types of fish underline the achievements obtained so far. We have accomplished a significant first step.

Further progress requires a strong directing organization of community stakeholders. Until recently, the cost of maintaining BARC operations has been borne almost entirely by the senior levels of government. As this financial support diminishes, local stakeholders are being asked to maintain operations in a more equitable fashion.

The BARC Board of Directors is preparing a long-term financing proposal that will be placed before the stakeholders later this year. Until this can be put in place, BARC requires bridge funding to maintain its leadership role in the restoration of the harbour and its watershed. We are asking harbour stakeholders such as yourselves to consider a **contribution of $1,500.00 in both** 1997 and 1998 as a small contribution in addition to the efforts you already make towards cleaning up the harbour watershed.

I would be pleased to meet with you at your convenience to discuss BARC's needs and the role you can play in ensuring the continued improvement in and stewardship of the Great Lakes Basin ecosystem. I have enclosed copies of our annual budget, last year's financial statements, a brochure summarizing our activities and other documents for your information.

Thank you for considering this request. We look forward to your response.

Sincerely,

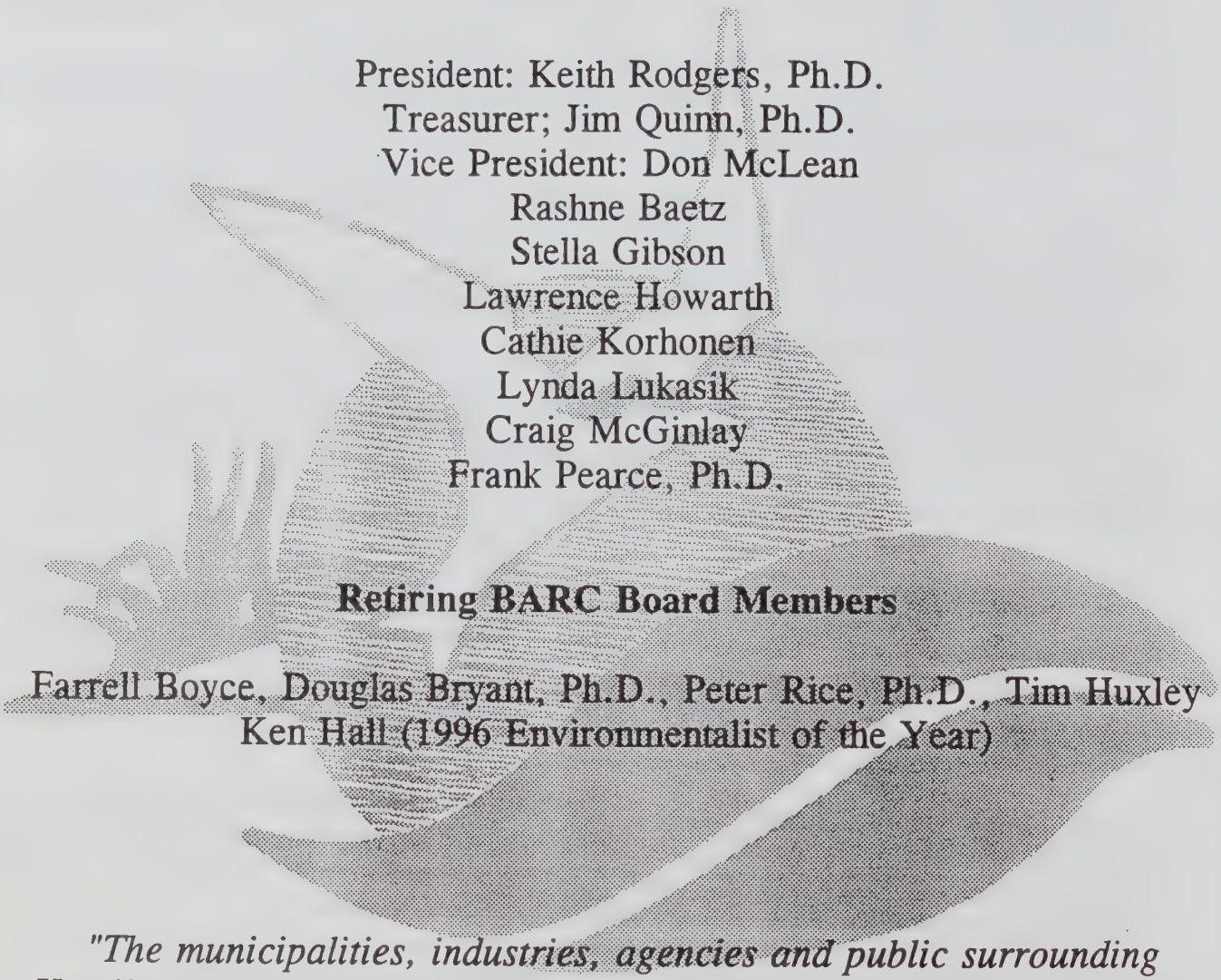
Keith Rodgers

Dr. Keith Rodgers
President

cc: Mr. John Collver
enclosures

1997-1998 Bay Area Restoration Council (BARC)

Board of Directors



President: Keith Rodgers, Ph.D.
Treasurer; Jim Quinn, Ph.D.
Vice President: Don McLean
Rashne Baetz
Stella Gibson
Lawrence Howarth
Cathie Korhonen
Lynda Lukasik
Craig McGinlay
Frank Pearce, Ph.D.

Retiring BARC Board Members

Farrell Boyce, Douglas Bryant, Ph.D., Peter Rice, Ph.D., Tim Huxley
Ken Hall (1996 Environmentalist of the Year)

"The municipalities, industries, agencies and public surrounding Hamilton Harbour have made tremendous strides towards meeting the conditions necessary to realize the full benefits that derive from a clean and healthy Harbour. But more needs to be done, and BARC will be continuing its efforts to bring together those who can assist all of us in achieving the goals,as developed in the Great Lakes Water Quality Agreement between Canada and the United States, of a healthier, more enjoyable and more profitable environment."

Dr. Keith Rodgers, BARC President

BAY AREA RESTORATION COUNCIL
OF HAMILTON-WENTWORTH AND HALTON REGIONS INC.
Room B130F, Life Sciences Building, McMaster University, Hamilton, Ontario L8S 4K1
Telephone (905) 525-9140 Ext. 27405 Fax (905) 522-6066

BAY AREA RESTORATION COUNCIL

Statement of Receipts and Expenditures

For the Year ended March 31, 1997

RECEIPTS:		
Contract Income		$49,400.00
Student Employment Program		5,638.00
Newsletter		1,938.00
Memberships		1,635.00
TOTAL RECEIPTS		58,611.00
EXPENDITURES:		
Accounting	655.00	
Audit	840.00	
Bank Charges	238.23	
Conference Travel	354.99	
Fax	230.93	
Honoraria	182.83	
Insurance	2,052.00	
Miscellaneous	388.84	
Office	889.88	
Postage	987.27	
Printing & Photocopying	1,884.78	
Secretarial Expense	1,081.25	
Telephone	558.60	
Travel Expense	483.45	
Wages & Benefits	34,198.15	
Workshop Expenses	1,450.41	
Randel Reef Expenses	2,905.03	
Newsletter Expenses	6,135.50	
RAP 10th Anniversary	2,328.59	
Committee Expenses	3,707.35	
Public Awareness Expenses	826.45	
TOTAL EXPENDITURES		62,379.53
NET INCOME		$(3,768.53)

BAY AREA RESTORATION COUNCIL
OF HAMILTON-WENTWORTH AND HALTON REGIONS INC.

Room B130F, Life Sciences Building, McMaster University, Hamilton, Ontario L8S 4K1
Telephone (905) 525-9140 Ext. 27405 Fax (905) 522-6066

"BRINGING BACK THE BAY"

Fiscal Year 1997/98 BUDGET
Valued at $141,000

1. **To facilitate the core functions of BARC through:** **$24 000.00**

1.1 **Holding at least eight Directors meetings** to organize and monitor the business of BARC including the review and approval of financial statement, contract, human resources, deliverables and office needs and **to Monitor, Communicate and/or Coordinate Community Stakeholder Groups that are Currently Addressing a RAP Goal.** ($5 000)

1.2 **Maintain sufficient insurance coverage** to protect the organization, its directors, staff, volunteers and property. ($4 000)

1.3 **Maintaining an office** at McMaster University and employing apart-time Manager and other part-time staff as required to conduct the normal business of BARC including: office expenses, coordination of activities and meetings, financial and other record keeping, supervision of other staff and students, answering general inquiries. ($11 000)

1.4 **Remaining an official charitable organization** so that BARC may encourage partnership, joint ventures and receive public contributions for RAP projects. ($1 000)

1.5 **Applying for grants** that will enable BARC to undertake and implement projects designed by the Board of Directors, or by BARC committees and approved by the BARC Directors. ($2 000)

1.6 **Producing an Annual Report** on BARC activities for distribution to Environment Canada, BARC membership and other interested parties. ($1 000)

2. **To audit, assess and monitor the implementation of the RAP through:** **$12 000.00**

2.1 **Maintaining a working arrangement with BAIT** that ensures adequate communication, advising and monitoring of the implementation of the RAP. ($2 000)

2.2 **Producing a Monitoring Report** which comments on the implementation of the RAP. ($5 500)

2.3 **Maintaining contact with the International Joint Commission** (IJC) by conducting a tour, receiving the Commissioners at the BARC Annual General Meeting and communicating the importance of the RAP and other issues at the IJC Bi-annual Meeting in Niagara Falls. ($2 500)

2.4 **Promoting opportunities to increase public access to the harbour and commenting on official plans and/or amendments** as they relate to ecosystems, recharge areas and promoting protection of those areas if they impact upon the Bay. ($2 000)

3. **To promote awareness of the Hamilton Harbour RAP Implementation through:** **$13 500.00**

3.1 **Responding to requests** for information and to make the Hamilton Harbour resource materials available upon request to students and other interested parties. ($ 2 000)

3.2 **Producing a Regular Newsletter** to stimulate BARC's communication both within its membership and throughout the community. ($5 500)

3.3 **Holding at least three membership meetings** during the year, one of which to be the Annual General meeting in order to communicate, discuss and ratify BARC recommendations and reports according to BARC by-laws. ($3 000)

3.4 Arranging presentations and/or displays on topics related to the RAP for interested groups on at least 20 occasions throughout the year. ($3 000)

3. con't) **Proposed Public Awareness Support Projects:** **$40 500.00**

3.5 **Providing general public volunteer implementation activities** such as the Marsh Volunteer Planting Program to stimulate interest and awareness about the RAP. ($5 500)

3.6 Providing Classroom education implementation activities such as the Yellow Fish Road and Classroom Wetland Nursery Program to stimulate the students (their teachers and parents) interest in, and awareness of the RAP. ($7 500)

3.7 **Soliciting new supporters** for membership in BARC according to the BARC by-laws. ($5 500)

3.8 **Producing a community support brochure** (20 000 copies, 2 colours) to support the above activity. ($6 500)

3.9 **Holding one full day fall workshop** (topic not yet determined) in partnership with a RAP stakeholder group. ($5 000)

3.10 **Holding one or more workshops** on current RAP issues. ($2 000 each)

3.11 **Hosting one or more RAP stakeholder meetings** on RAP issues that need resolution. ($1 000 each)

3.12 **Reprinting the BARC ACCESS MAP** (15 000 copies, 4 colours). ($5 000)

3.13 **Reprinting the BARC Brochure** (10 000 copies, 2 colours). ($2 500)

4. To coordinate BARC activities with other organizations through: $3 000.00

4.1 **Acting as a lead partner** in the Hamilton Harbour Stewardship Project (with an annual operating budget in excess of $200 000) organized by the Hamilton and Halton Region Conservation Authorities. ($2 000)

4.2 **Acting as a lead partner** in the Nature Walkathon which raises at least $15 000 annually to support RAP related activities. ($1 000)

4.3 **Contributing to the Hamilton Board of Education's** Sci-Phy Quest Summer Camp. ($1 000)

5. **To receive in-kind contributions from the community through:** **$48 000.00**

5.1 **Residing in office** donated by McMaster University. ($6 000)

5.2 **Using community facilities to hold meetings**, Directors' committee and membership and information functions. ($ 2 000)

5.3 **Depending on volunteer expertise** to manage the BARC Board and sub-committees (1 500 hours @ $20/hr = $30 000)

5.4 **Accepting volunteer labour** to implement the BARC projects such as Marsh Planting, Yellow Fish Road (storm drain marking) and the Classroom Wetland Nursery. (2 000 hours @ $5/hr = $10 000)

Notes:

a) Many of the deliverables are managed by volunteer members of BARC sub-committees.

b) Fiscal year ends March 31, 1998

July 2, 1997
revised July 30, 1997
c:account\budget97.j30

The Board of Education for the City of Hamilton
Le Conseil de l'éducation de la ville de Hamilton

100 Main Street West
Hamilton, Ontario
Telephone (905) 527-5092
Fax (905) 521-2539

100, rue Main Ouest
Hamilton (Ontario)
Téléphone (905) 527-5092
Fac-similé (905) 521-2539

Chairman of the Board | **Président(e) du Conseil**

1997 09 10

11. (b.)

J. J. Schatz, City Clerk
The Corporation of the City of Hamilton
City Hall
P.O. Box 2040
Hamilton, Ontario L8N 3T4

Dear J. J. Schatz:

Re: Board of Education representation - Hamilton Public Library Board

Further to the correspondence between our respective offices relative to the City Council's resolution requesting a list of nominee recommendations for appointment as School Board representatives to the Hamilton Public Library Board, I hereby submit the following names:

Mark S. Davies
Margaret Cunningham

As you know, Mr. Davies was interviewed and deemed to be the candidate of choice for the Hamilton Board of Education. However, in order to fulfil your requirement, a name has been added.

Yours sincerely

Margaret Cunningham

Margaret Cunningham
Chairman

Mailing Address
P.O. Box 2558
Hamilton, Ontario
L8N 3L1

Adresse postale
C.P. 2558
Hamilton (Ontario)
L8N 3L1

Copies forwarded to J. Pavelka, CAO; A. Ross, Treasurer; and S. Reeder, Secretary, Finance & Administration Comm - Sept.16/97

The Skating Events Trust

11. (c.)

1600 James Naismith Drive, Suite 401, Gloucester, Ontario K1B 5N4 • Telephone (613) 742-5419 • Fax (613

September 3, 1997

SEP 15 1997 9/15 SEP 10 1997

To Dyes., Graham + Tth and Rld. Chairman Anderson

Mayor Robert Morrow
City of Hamilton
71 Main Street West
Hamilton, ON
L8N 1G2

Your Worship:

The Canadian Figure Skating Association is pleased to be returning to the city of Hamilton for the 1998 Bank of Montreal Canadian Championships at Copps Coliseum. This year's event promises to be even more exciting than the 1993 edition as 300 skaters attempt to qualify for the 1998 Nagano Olympic Games.

The 1998 Bank of Montreal Canadian Championships will generate approximately $12 million for the local economy with 100,000 spectators expected to attend the five day event. Over 4,550 hotel room nights have been reserved for the event with an additional 4,000 room nights expected for spectators. The event will be nationally televised on CTV for 12 hours with an average audience of nearly 1.75 million viewers.

In the spirit of the community support being provided to this event, we would like to invite the city of Hamilton to become a local sponsor for the 1998 Bank of Montreal Canadian Championships. There are three items which we would like the city to subsidize through sponsorship of the event:

	ITEM	ESTIMATED COST
1.	City banner program	$3,000
2.	Volunteer kick off party	$7,000
3.	Local sponsor luncheon	$5,000

This sponsorship would total $15,000 and place the city of Hamilton in the platinum category. The benefits associated with this sponsorship are outlined in the enclosed package. Please note that these areas have been selected because of their relevance to the local community. There will be 250 volunteers involved with this event that will attend the kick off party and the local business community will be the guests at the local sponsor luncheon.

TRUSTEES

Jean MacLellan, Chairman — Betty Bouma — Joanne Shaw — Michael Woogh

CEO - David M. Dore

Please feel free to address any questions to Sandra Gage, Marketing Manager at (613) 748-5635, extension 2537.

Thank you in advance for your consideration of this proposal.

Regards,

D. M. Dore

David Dore
Director General

c.c. Sandra Gage

CITY OF HAMILTON

- RECOMMENDATION -

12.

DATE: 1997 September 16

REPORT TO: Mrs. Susan Reeder, Secretary
Finance and Administration Committee

FROM: A.C. Ross
Treasurer

R. L. Fair, Director
Department of Culture and Recreation

SUBJECT: CITY OF HAMILTON DONATIONS POLICY

RECOMMENDATION:

a) That the City of Hamilton Donations Policy, attached hereto as Schedule A, be approved.

b) That City staff be authorized to undertake all actions necessary to implement the Policy.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

A formalized donations policy will facilitate the soliciting and receipt of donations, also, provide clear guidelines for the issuance of Income Tax receipts to qualified donors as per the Income Tax Act.

There are no staffing implications as policy will be managed with existing staff complements.

Legal agreements to document the receipt of certain large donations may be required and would have to be drafted by the City Solicitor.

BACKGROUND:

Several Departments have over the years been involved with community groups and organizations in the development of services and programs. In many cases, these efforts have resulted in supplementary fund-raising efforts involving community groups, agencies, individuals and private corporations. Some Departments are also the recipient of donations of goods and services.

In recent cases, private corporations have come forward with offers to finance public initiatives. Construction of playgrounds (Saturn dealers) and outdoor basketball pads (NIKE Canada, with financing from the Altamira Foundation) are two recent examples.

Staff have been guided by an informal procedure developed in 1996 by the City Treasurer. The document entitled "City of Hamilton Acceptance of Donations, Gifts and Sponsorship Guidelines" and was intended for use while a full donations policy was being developed.

The need for a clear policy was identified by the City Treasurer in order to facilitate the marketing to potential donors and to handle in a proper fashion the receipt of donations.

The Director of Culture and Recreation was requested to convene a working group consisting of the potential "receiving" departments - Public Works and Traffic; Fire and Culture and Recreation to review the policy drafts and author the policy and report.

The Parks Staff Advisory Committee was also consulted in the preparation of the policy.

DISCUSSION

This policy will provide a standardized approach to soliciting and receiving donations of funds, goods and services. A marketing strategy will be developed to promote opportunities for individuals, groups, associations and businesses to make a contribution towards the efforts of the City and its Departments, in accordance with appropriate tax regulations and civic priorities.

Fund raising is particularly important to the work of the Department of Public Works and Traffic; the Fire Department and the Culture and Recreation Department. The playstructure program, parks equipment donations/support and the boulevard beautification program are examples of how Public Works staff work with individuals and groups to offset costs of their projects. Donation of artifacts and art as well as financial donations to increase program subsidies are two examples relative to the Culture and Recreation Department. This Department already has existing policies relative to the receipt and deaccessioning of artifacts. These policies are complimentary to the proposed Donations Policy. Donation of rescue equipment is one example of how the Fire Department is utilizing donations to maintain or increase service effectiveness.

This policy would not have a negative impact on current fund-raising initiatives.

Schedule A

CITY OF HAMILTON DONATIONS POLICY

1.0 POLICY STATEMENT:

Continuing financial pressures have forced many communities to look at a variety of means to ensure the continuation of important and needed services. Some have taken a proactive approach to seeking out financial partners for projects while others have developed strategies for soliciting donations of goods, services and dollars for City programs, services and projects.

Hamilton City Council has, for the past number of years, considered and approved a number of contributions from outside sources as a funding mechanism to ensure that projects go forward, in spite of reducing civic budgets. The City wishes to increase its ability to solicit and receive donations for approved projects and services, while adhering to all appropriate legislative requirements.

2.0 PURPOSE:

The purpose of this policy is to provide principles and guidelines for the solicitation and receipt of donations to approved City projects and programs. The City acknowledges and encourages the interest of the community in donating gifts of cash, land and buildings, materials, services or goods to the City for the purpose of enhancing public facilities or services. The City reserves the right not to accept donations that do not contribute to the public good or are beyond the capacity of the City to receive and manage. The City will acknowledge contributions of sponsors and donors in a manner befitting the gift and in keeping with City guidelines.

3.0 PRINCIPLES:

3.1 The City will solicit and receive donations of funds, services and goods that enable it to reduce the cost of approved projects and programs; enhance existing services that do not increase operating costs; and finance desired projects and services that are not funded from the tax levy or other municipal sources.

3.2 The donation of funds, goods or services will be received by the City on the understanding that no significant consideration will be returned to the donor, as per the Income Tax Act. Nominal recognition in the form of letters or signs of acknowledgement may be made.

3.3 The receipt or rejection of funds, goods or services will be at the sole discretion of City Council, or its designated officers.

3.4 City Council shall reserve the right to designate donated funds for approved civic projects or programs with due regard to the wishes and intentions of the donor.

3.5 All donations become the sole and unfettered property of the City of Hamilton.

4.0 AUTHORITY:

The City of Hamilton as a Canadian Municipality can accept gifts from individual and corporate taxpayers per paragraph 118.1(1)(d) of the Income Tax Act subject to the limitations included in subsection 118.1(1) and 110.1(1)(a).

Hamilton City Council is solely responsible for the approval of projects or programs for which donations are to be dedicated. Authority for the administration of the policy is delegated to staff.

5.0 DEFINITION OF A CHARITABLE DONATION OR GIFT:

A gift, within the context of the Income Tax Act, is a voluntary transfer of property without valuable consideration. A gift is made in any circumstance where all three of the conditions listed below are satisfied.

(a) Some property, usually cash, is transferred by a donor to the City.

(b) The transfer is voluntary. Any legal obligation on the payer would cause the transfer to lose its status as a gift.

(c) The transfer is made without expectation of return. No valuable consideration, no benefit of any kind, to the donor or anyone designated by the donor may result from the payment.

Compliance with this general rule is imperative to ensure that the gift(s) are deductible contributions.

6.0 EXAMPLES WHERE A DONATION OR GIFT IS CONSIDERED CHARITABLE:

6.1 Where the gift, as defined above, is given to the City with a general direction as to its use, i.e. a specific program or project.

6.2 Where a voluntary payment is made to the City in order to assist it in paying the expenses of a non-municipal organization which is regularly supported by the municipality. The following further defines this relationship:

- The municipality must have an active involvement in the 3rd party organization through representatives on the executive.
- The organization must be in receipt of financial assistance from the City.
- The donations would be paid to the 3rd party via a grant.
- The organization should be community wide and be open or available to all City of Hamilton residents, or,
- The 3rd party organization is raising funds for a municipal project which has been approved by Council.
- The City of Hamilton reserves the right to designate as they deem appropriate (with due regard to the wishes and intentions of the donor).

6.3 Where the gift is given to the City with a request that it pass the money on to an associated organization, such as a community organization within the municipality, if the designated organization operates under the authority of the municipality, such as a committee established by a municipal by-law.

Note:

Where a voluntary payment is made to a Canadian municipality with a request the municipality pass the money along to a community group with which the municipality has little or no active involvement, it is the position of Revenue Canada that where a municipality is simply acting as a conduit for some other organization in receiving a payment, the payment cannot be considered a gift to the municipality. As such the municipality may not issue an income tax receipt.

7.0 CRITERIA FOR RECEIPT OF CASH DONATIONS:

Funds will be received for approved projects and programs in order to:

- Reduce costs from the tax levy.
- Enrich approved projects and programs on the condition that no additional ongoing operating costs accrue to the City.
- Enable non-funded projects and programs to operate, conditional upon Council approval.

8.0 FORMATION OF A CITY-WIDE DONATIONS COORDINATING GROUP:

In order to ensure the proper marketing of donor opportunities and administration of donations it is proposed that a standing cross-Departmental working group be struck to oversee the program. The Parks Staff Advisory Committee would be an example of this approach.

This group would report through the Chief Administrative Officer and the City Treasurer to the Finance and Administration Committee relative to the amount and nature of donations. Due to the relevance to programming, other standing committees of Council will be briefed.

The Group would consist of one staff from the Treasury, one from the Clerks Department and at least one from each of "receiving Departments", i.e. Public Works and Traffic; Fire and Culture and Recreation, to be selected by the respective Department Head.

The mandate of this Working Group would be to:

8.1 On an annual basis produce and distribute marketing information highlighting ways in which individuals, groups, associations and businesses can make donations.

8.2 Develop and implement procedures for receipt and recording of donations in accordance with this policy.

8.3 Report through the Chief Administrative Officer and the City Treasurer to the Finance and Administrative Committee on the nature and amount of donations.

8.4 Maintain files as appropriate.

8.5 Provide an annual evaluation of the success of the donations program for the information and action of the Chief Administrative Officer.

9.0 Procedures for Receiving Donations:

The following general procedures will apply to all programs. Additional program specific guidelines may be developed.

9.1 All donations are received subject to the approval of the appropriate Department Head and/or the Coordinating Committee and may be subject to a requirement to a pre-authorization by the Department Head or the Coordinating Committee where appropriate.

9.2 All donations of funds must be made payable to the **City of Hamilton**, and are to be received by the Department Head responsible for the program for which funds are intended.

9.3 All donations of funds are forwarded immediately upon receipt to the Treasurer for deposit to the appropriate account.

9.4 All donations of land, buildings, goods, materials and services will be reviewed as to appropriateness by the receiving Department and in particular with the Coordinating Committee with regards to "estimate of value."

9.5 Documentation of all donations is to be forwarded to the Coordinating Committee for filing and recording purposes.

9.6 A letter of acknowledgement is issued by the receiving Department Head.

9.7 Documentation of the donation is to be forwarded to the Coordinating Committee for processing and recording.

9.8 Additional gestures of appreciation or recognition, if warranted or requested, will be developed by the receiving Department Head, in consultation with the Coordinating Committee, the Mayor and the Chairperson of the Standing Committee.

9.9 A report is prepared by the receiving Department Head and forwarded to the appropriate standing committee of Council.

9.10 If requested, the Treasurer in due course will issue an income tax receipt.

10. DISPUTE RESOLUTION:

Any dispute relative to the application or interpretation of this policy is to be referred to the Coordinating Committee; then to the Chief Administrative Officer and City Treasurer; and then, ultimately, to the Finance and Administration Committee, if required for adjudication.

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 September 23
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the meeting held Tuesday, 1997 August 19th

(ii) Minutes of the special meeting held Tuesday, 1997 August 26th

B. CITY CLERK

(i) Maintenance of Xerox 5090 Photocopier

(ii) Extension of terms of office for citizen members on City Committees, Local Boards and Commissions

(iii) By-law - re: Voting Place Hours for Institutions and Retirement Homes

C. TREASURER

(i) Authorization to enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

(ii) Tax Applications Processed under Section 443, Subsec. 5, under The Municipal Act, Chap. 45, R.S.O.,1990

(iii) Landscaping in the median at the intersection of Arrowsmith Road and Centennial Parkway - Financing

D. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) Replacement of One Detachable Snow Blower - Unit 9601, Fleet Services

(ii) Replacement of Two (2) Truck Chassis with Services - Bodies Units 6014 and 6015, Fleet Services

(iii) Replacement of Three (3) Extended Cab Pick-Up Trucks - Units 1435, 9096, and 9393 Fleet Services

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1997 August 19
1:30 o'clock p.m.
Room 233, City Hall

A. (i)

The Finance and Administration Committee met.

Present: Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss
Alderman V. Agro
Alderman T. Anderson

Regrets: Mayor R. M. Morrow - vacation

Also Present: Alderman H. Merling
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
J. Schatz, City Clerk
L. King, Building Commissioner
R. Fair, Director of Culture and Recreation
Fire Chief W. Shoemaker
T. Bradbury, Treasury
P. Barkwell, Law Department
C. Mascarenhas, Treasury
C. Guthro, Public Works and Traffic
T. Daw, Treasury
M. Mascarenhas, Housing
R. Swan, Culture and Recreation
Susan K. Reeder, Secretary

A G E N D A

The Chairman asked that the Committee adjust the Agenda in order to allow Alderman Merling the opportunity to speak to the Committee respecting a number of issues that had arisen from the Transport and Environment Committee meeting on the previous date. The Committee agreed to move these items up.

ADDED - 4(c) - CHIEF ADMINISTRATIVE OFFICER - GLENGROVE AVENUE FROM REID AVENUE TO ARMSTRONG AVENUE

In this regard, the Committee gave consideration to an Added Report from the Chief Administrative Officer dated 1997 August 18th, respecting the above noted matter. Alderman Merling addressed the Committee on this issue and advised the Committee that the construction bulletin which was issued to the residents in 1997 March by the Region inadvertently included the roadway for proposed reconstruction. This roadway was never constructed to a proper standard, and is therefore a candidate for a local improvement whereby the abutting owners would be responsible for a portion of the cost based on their frontages. Alderman Merling indicated that due to the initial notice from the Region that this roadway would be reconstruction, the residents are very disappointed.

Following some discussion on this matter, the Committee agreed that this issue be referred to staff to try to develop a strategy to deal with the rehabilitation of the roadway in a fair and equitable manner, and report back to the Committee.

ADDED - 4(d) - CHIEF ADMINISTRATIVE OFFICER - 1997 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME ADDITIONAL FUNDING

The Committee was in receipt of an Added Information Report from the Chief Administrative Officer dated 1997 August 19th respecting the above noted matter.

The Committee was also in receipt of an Added Memorandum from the Secretary of the Transport and Environment Committee dated 1997 August 18th advised that the Transport and Environment Committee at its meeting held 1997 August 18th approved the following motion for presentation to City Council:

(a) That the approved 1997 road and Sidewalk construction program proceed with the completion of East 37th Street between Crockett Street and Concession Street and Cheryl Avenue between Upper Sherman Avenue and East 34th Street; and,

(b) That the Finance and Administration Committee approve that the identified shortfall in the 1997 road and Sidewalk Improvement Programme in the estimated amount of $580,000 be funded as follows:

(i) $168,000 from the Downtown Improvement Project Account No. CF 5200-609755033 (Downtown Hamilton Improvement Plan)

(ii) $412,000 from any 1997 Year End Surplus available

In this regard, the Committee approved the following for presentation to City Council:

That as referred to in Section 44 of the Ninth Report for 1997 of the Transport and Environment Committee respecting the identified shortfall in the 1997 Road and Sidewalk Improvement Programme in the estimated amount of $580,000, that funding be financed as follows:

(a) $168,000 from the Downtown Improvement Project Account No. CF 5200-609755033 (Downtown Hamilton Improvement Plan); and,

(b) $412,000 from any 1997 Year End Surplus available.

5.(c) Treasurer - Corporate Overview of the Quarterly Reports as at 1997 June 30th

The Committee was in receipt of a report from the Treasurer dated 1997 August 19th respecting the above noted matter. The Treasurer's report presented a funding recommendation pertaining to the identified shortfall referenced by the Transport and Environment Committee, as well as the funding to finance the Coach House Restaurant.

With respect to the funding required for the Coach House Restaurant, the Report indicates that the 1997 amount of $218,000 for the Coach House Restaurant at Dundurn Castle was inadvertently omitted from the current budget appropriations during the 1997 process. In this regard, the Committee approved the following:

That the cost to finance the expenditures related to the Culture and Recreation Department's Coach House Restaurant operations estimated at $218,200 be financed as an approved overdraft within the Culture and Recreation Department.

A. **DELEGATION - Wearing of the Green Committee - Relocation of the Irish Monument from Gage Park to City Hall**

The Committee received a delegation from Mr. Bill Gardner on behalf of the Wearing of the Green Committee.

In this regard, the Committee was in receipt of correspondence dated 1997 July 22nd requesting that the Irish monument presently located at Gage Park be relocated to City Hall as a result of the continuous vandalism to this monument.

The Committee gave consideration to this request, and agreed that this matter should be referred to the Director of Culture and Recreation in order that he can meet with Mr. Gardner, review the City's policy with respect to the placing of monuments at City Hall, and report back to the 1997 September 23rd of the Committee with a recommendation pertaining to this request.

1. **IN CAMERA AGENDA**

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. **CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - 1997 Base Reductions for Information Systems Department**

That a Task Force consisting of Aldermen Charters, Wilson and Collins and a representative from Regional Council be established to work with staff to bring back a recommendation to the Finance and Administration Committee respecting 1997 Base Budget Reductions for the Information Systems Department and the Human Resources Department.

BB. **CITY SOLICITOR**

Hamilton Professional Fire Fighters Association Local 288 - re: Loten Traffic Charges

That the City reimburse the Hamilton Professional Fire Fighters Association in the amount of $1,265.42 for fees paid to Stanley Simpson, Solicitor, who represented a Firefighter charged with a traffic violation in 1994, which charge was subsequently dismissed, and that such payment be charged to Unclassified Account CH 55195-24201.

City of Hamilton -v- Jockey Club Tavern Ltd.; Ontario Court (General Division) Action #2353/86

(a) That the City disburse the funds received from the Jockey Club Tavern Ltd., in part payment of its obligations pursuant to settlement arrangements in Ontario Court (General Division) Action #2353/86; and Court of Appeal File # C16095 as follows:

(i) To the City of Hamilton in recovery of legal expenses, $18,546.96 (to be credited to Account CH55425 44001); and,

(ii) To the Ottawa Street B.I.A. $44,342.16; and,

(b) That the City Solicitor investigate the prospects for making recovery of the balance due under the settlement from one or more responsible parties.

CC. CITY SOLICITOR AND DIRECTOR OF CULTURE AND RECREATION - City of Hamilton -ats- Peavoy; Ontario Court (General Division) Action #10067/95

(a) That the City resolve Ontario Court (General Division) Action #10067/95 by the payment to the Plaintiffs, Brock Peavoy, Velvet Peavoy and David Jenkins of the sum of $3,500, inclusive of all claims for damages, interest and costs; and,

(b) That the adult Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That the Plaintiffs be required to obtain the appropriate Court approval of the infant portion of the settlement and that the balance of the action be dismissed as against the City without costs.

DD. CITY SOLICITOR AND BUILDING COMMISSIONER - City of Hamilton -ats- John Randazzo; Ontario Court (General Division) Small claims Court; Action No. 8515/96

(a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 8515/96 by the payment to the Plaintiff, John Randazzo, of the sum of $150, inclusive of all damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Small Claims Court Action No. 8515/96 and any cross-claim or counter-claim be dismissed without costs.

FF. CITY CLERK - Option to Purchase - 555 Kenilworth Avenue North from Helen Barron (Single family dwelling) and subsequent demolition

(a) That an Option to Purchase, executed by Helen Barron on 1997 July 30 and scheduled to close on or before 1997 November 12, for lands situated in the City of Hamilton, being composed of Lot 420, Registered Plan 584, with a frontage of 7.62 metres (25 feet) more or less, by a depth of 30.48 metres (100 feet) more or less, including a mutual driveway (northerly 4 feet and 8 inches to a depth of 82 feet) municipally known as 555 Kenilworth Avenue North, be approved and completed for the purchase price of $69,000; and,

(b) That as consideration in the amount of $2 has been paid to the owner pursuant to the Option to Purchase document, this amount be deducted from the purchase price; and,

(c) That the Manager of Real Estate be authorized to proceed with the demolition of the existing single family dwelling at 555 Kenilworth Avenue North at a cost not to exceed $8,000 once vacant possession has been received; and,

(d) That this property purchase be financed from the Reserve for Alpha Enclaves, Account Centre No. CH00116; and,

(e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents.

ADDED - CITY CLERK - (a) Option to Purchase - Part of 190 King William Street from Theatre Aquarius Incorporated - Parts 1,2 and 3, 62R-14190; (b) Declaration of Surplus Property - Part of 190 King William Street - Parts 1,2 and 3, 62R-14190; and (c) Offer to Purchase - Part of 190 King William Street - Municipal Non-Profit (Hamilton) Housing Corporation - Parts 1,2 and 3, 62R-14190

(a) (i) That an Option to Purchase, to be executed on or before 1997 August 19 by Theatre Aquarius Incorporated (Max Reimer, Managing Artistic Director) and scheduled to close on or before 1997 September 30, for lands situated in the City of Hamilton, being composed of Parts 1, 2 and 3, Plan 62R-14190, being an irregular shaped parcel of land with a frontage of 28.109 metres (92.22 feet), more or less, on King William Street, and comprising an area of 0.137 hectares (14,746 square feet), more or less, subject to a vehicular right-of-way to be reserved in favour of the Vendor over Parts 2 and 3, Plan 62R-14190, municipally known as part of 190 King William Street, be approved and completed, and the purchase price of $1 be credited to Account Number CH 5X326 00102 (Reserve for Property Purchases); and,

(ii) That it is understood and agreed:

(1) The Vendor and the Purchaser agree to execute a Surrender of Lease relating to the lease agreement and renewal thereto between the parties dated 1993 January 29 and 1995 November 15 respectively (collectively called the "lease"). It is acknowledged and agreed that such Surrender of Lease shall take effect on the closing of the herein transaction. The Vendor understands and agrees that such Surrender will result in the loss of any and all parking rights which may have been reserved to the Vendor; and,

(2) Theatre Aquarius Incorporated will provide prior to closing written consent from the Commissioner of Finance of the Regional Municipality of Hamilton-Wentworth to the sale of the herein lands as required by the Operating Agreement dated 1996 November 1 between Theatre Aquarius Incorporated and The Regional Municipality of Hamilton-Wentworth; and,

(3) The closing of this Option to Purchase is conditional upon The Corporation of the City of Hamilton accepting an Offer to Purchase executed by Municipal Non-Profit (Hamilton) Housing Corporation for the purchase of the lands shown as Parts 1, 2 and 3 on Plan 62R-14190. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,

(iii) That the Mayor and City Clerk be authorized and directed to execute all such documents required to effect such Surrender of Lease as may be required by the City Solicitor; and,

(b) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law 95-049:

"lands situated in the City of Hamilton, being composed of Parts 1, 2 and 3, Plan 62R-14190, being an irregular shaped parcel of land with a frontage of 28.109 metres (92.22 feet), more or less, on King William Street, and comprising an area of 0.137 hectares (14,746 square feet), more or less, subject to a vehicular right-of-way to be reserved in favour of the Vendor over Parts 2 and 3, Plan 62R-14190, municipally known as part of 190 King William Street"; and,

(c) (i) That an Offer to Purchase, to be executed on or before 1997 August 19 by Municipal Non-Profit Hamilton (Housing) Corporation (Mark Mascarenhas, General Manager and Alderman Robert Charters, President) and scheduled to close on or before 1997 September 30, for lands situated in the City of Hamilton, being composed Parts 1, 2 and 3, Plan 62R-14190, being an irregular shaped parcel of land with a frontage of 28.109 metres (92.22 feet), more or less, on King William Street, comprising an area of 0.137 hectares (14,746 square feet), more or less, subject to a vehicular right-of-way to be reserved in favour of Theatre Aquarius Incorporated over Parts 2 and 3, Plan 62R-14190, municipally known as part of 190 King William Street, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $177,928 be credited to Account Number CH 14001 00001 (Realty Taxes Receivable); and,

(ii) That it is understood and agreed that the purchase price herein shall, on closing, be applied by the City Treasurer to the outstanding realty taxes, interest, and penalty owed in respect of the herein lands and adjacent lands owned by Theatre Aquarius Incorporated; and,

(iii) That it is understood and agreed that this Option to Purchase and Sale resulting from the acceptance thereof is condition until closing upon the following:

(1) The Purchaser entering into a parking lot operating agreement with The Corporation of the City of Hamilton (Parking Authority for the City of Hamilton) on terms satisfactory to the parties which will provide that the Parking Authority will be the parking lot operator until such time as a building permit is issued for construction on all or part of the subject land; and,

(2) The Municipal Non-Profit (Hamilton) Housing Corporation agrees to pay all registration costs, land transfer tax costs, and other tax or cost implications incurred by the City of Hamilton in connection with the herein transaction and the Option to Purchase of the lands with Theatre Aquarius Incorporated; and,

(3) The closing of this Offer to Purchase is subject to the City of Hamilton accepting and completing an Option to Purchase executed by Theatre Aquarius Incorporated for the purchase of the lands shown as Parts 1, 2 and 3 on Plan 62R-14190. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,

(iv) The Mayor and City Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor; and,

(v) That in accordance with the Real Property Sales Procedural By-Law No. 95-049:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property being sold was obtained on 1997 March 25 and received on 1997 August 19; and,

(3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed to Section 193 of the Municipal Act.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Thursday, July 3rd; the minutes of its special meetings held on Tuesday, 1997 July 8th, Thursday, 1997 July 31st, and Tuesday, 1997 August 12th, and approved these minutes as circulated.

B. CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - Supplier for Hewlett Packard Printers

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Director of Information Systems dated 1997 August 8, respecting the above noted matter.

The Committee approved the following:

(a) That Telecom Computer, Burlington be the designated supplier for Hewlett Packard printers for the months of 1997 September, October and November, as submitting the lowest quote ($58,593) of nine (9) proposals received in accordance with specifications issued by the Purchasing Department and Vendor's proposal of 1997 May 26th; and,

(b) That funding be provided from Account # CH56605-26032 (Rent-Computer Equipment).

C. TREASURER - Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

The Committee was in receipt of a report from the Treasurer dated 1997 July 4, respecting the above noted matter, and approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

84 Hildegard Dr.	529 Concession St.
1527 Upper Ottawa St. #13	1527 Upper Ottawa St. #12
803 Cannon St. E.	18 San Fernando Dr.
607 Eaglewood Dr.	531 Upper Wentworth
869 Queensdale Ave E.	51 Queenston Rd.
140 Beach Rd.	154 Sanford Ave. N.
382 Sherman Ave N.	1630 Upper Gage Ave.
9 Head St.	84 Burlington St W.
1304 Upper Gage Ave.	132 Ottawa St. S.
141 Balsam Ave. S.	21 Severn St.
191 Sherman Ave N.	65 Magill St.
145 Emerald St. S.	261 Holton Ave S.
332 Gage Ave. N.	560 King St. W.
11 Strathcona Ave. N.	

(b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

D. DIRECTOR OF CULTURE & RECREATION - Option Years-Supply of Chemicals for Water Treatment Central Utilities Plant

The Committee was in receipt of a report from the Director of Culture & Recreation dated 1997 July 25, respecting the above noted matter and approved the following:

That the City exercise its option and that authorization be given to establish an open order with Drew Chemical Limited of Aurora, Ontario for 1998, 1999, 2000 in the amount of approximately $75,000 per year for the supply of water treatment chemicals for City Hall, Central Utilities Plant, Hamilton Public Library/Market, and Copps Coliseum. This being the only proposal received by the Purchasing Division reference # C14-15-95.

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 August 15, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - Director of Culture and Recreation - Wishbone Driveway - 2nd level - City Hall - report dated 1997 June 27th

(b) Correspondence - Association of Municipalities of Ontario - Request for Nominations - 1997-98 AMO Board of Directors - dated 1997 June 17th

(c) Conference Information - URISA 97 - 1997 July 23 - Metro Toronto Convention Centre

(d) Correspondence - FCM - Call for Resolutions - FCM National Board of Directors Meeting - 1997 September 4 - 6 - letter dated 1997 June 24th

(e) Correspondence - Construction House of Hamilton Limited - appreciation to resolve of purchase of property at 16 Magill Street - letter dated 1997 July 14th

(f) Information Report - Director of Culture and Recreation - Sesquicentennial Quilt -report dated 1997 June 19th

(g) Information Report - City Clerk - 1997 School Trustee Determination and Distribution - report dated 1997 July 22nd

(h) Correspondence - City of Toronto - Funding Request - Constitutional Challenge to the New Gun Control Law - letter dated 1997 July 4th

(i) Correspondence - Regional Clerk - Financial Shared Services Proposal - letter dated 1997 July 14th

(j) Correspondence - Ministry of Finance - Status of the Province-wide Reassessment -letter dated 1997 July 7th

(k) Correspondence - City of Toronto - Global Climate Change - letter dated 1997 July 8th

(l) Information Report - H.E.C.F.I. - H.E.C.F.I. Quarterly Report as at 1997 June 30th -report dated 1997 July 24th

(m) Correspondence - Hamilton-Wentworth Coalition for Social Justice - objection to a Panhandling, Loitering By-law - letter dated 1997 July 22nd

(n) Information Report - City Clerk - 1997 Municipal Election Ballot Question - report dated 1997 July 28th

(o) Correspondence - Al Leach, Minister of Municipal Affairs and Housing - response to City resolution respecting the proposed new Municipal Act - letter dated 1997 July 17th

(p) Correspondence - City of Toronto - World Congress Declaration and Agenda for Action Against the Commercial Sexual Exploitation of Children - letter dated 1997 July 21st

(q) Information Report - Director of Culture and Recreation - Roof Fire - City Hall, 1997 August 7th - report dated 1997 August 8th

(r) Information Report - Commissioner of Human Resources - Appointments to and Terminations fro permanent positions with the Corporation of the City of Hamilton -report dated 1997 August 7th

(s) Correspondence - Ontario Realty Corporation - Hamilton Courthouse project - letter dated 1997 July 28th

(t) Information Report - Fire Department Quarterly Report as at 1997 June 30th - report dated 1997 August 6th

(u) Information Report - Hamilton Public Library Board - Hamilton Public Library Quarterly Report as at 1997 June 30th - report dated 1997 August 8th

(v) Information Report - Director of Culture and Recreation & City Clerk - Property Department Quarterly Report as at 1997 June 30th

(w) Information Report - Status of Unclassified Revenue and Expenditures as at 1997 July 31st - report dated 1997 August 11th

(x) Information Report - Status of Hosting, Receptions and Related Accounts as at 1997 July 31st - report dated 1997 August 11th

(y) Information Report - Treasurer - Treasury Department Quarterly Report as at 1997 June 30th - report dated 1997 August 13th

(z) Recommendation report from the Commissioner of Public Works and Traffic to the Transport and Environment Committee - 1997 Road and Sidewalk Improvement Programme - Request for additional funding - report dated 1997 August 13th

(aa) Correspondence - Brian Hinkley - Appreciation - City's appointee to the Hamilton Harbour Commission - dated 1997 August 1st

(bb) Information Report - Chief Administrative Officer and Commissioner of Human Resources - Human Resources Centre Quarterly Report as at 1997 June 30th - report dated 1997 August 1st

(cc) Information Report - Chief Administrative Officer and Director of Information Systems - Information Systems Department Quarterly Report as at 1997 June 30th - report dated 1997 August 11th

3. **ALDERMEN R. CHARTERS, D. ROSS AND T. ANDERSON, AD HOC COMMITTEE - 100 Locke Street South**

The Committee was in receipt of a report from Aldermen R. Charters, D. Ross, and T. Anderson, Ad Hoc Committee, dated 1997 August 5, respecting the above noted matter.

The Committee approved the following:

(a) That after hearing the evidence and submission of the complainants, Humana House and the Good Shepherd Non-Profit Housing Corporation Inc, the Council of the City of Hamilton hereby confirms the development charges imposed on the property at 100 Locke Street South as being properly imposed pursuant to City of Hamilton Development Charges By-law 95-176; and,

(b) That the City of Hamilton provide a grant in lieu of the City's portion of the outstanding realty taxes on 100 Locke Street South to the Good Shepherd Non-Profit Housing Corporation Inc., subject to the following conditions:

(i) That the Region of Hamilton-Wentworth agree to write-off the Region's portion of the outstanding taxes; and,

(ii) That the Hamilton Board of Education agree to write-off the Board's portion of the outstanding taxes; and,

(iii) That the grant not be released for payment of the taxes until the existing mortgage on title is discharged; and,

(c) That the City Clerk be authorized and directed to send a formal request to both the Region and the Hamilton Board of Education requesting them to consider forgiveness of their respective portions of the outstanding realty taxes; and,

(d) That the City Treasurer be authorized and directed to recommend a method of financing for the City's portion of the taxes.

4. CHIEF ADMINISTRATIVE OFFICER

(a) United Way - Loaned Representative

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 August 8, respecting the above noted matter, and approved the following:

> That the City of Hamilton reaffirm its participation in the United Way by participating in the Loaned Representative Program by providing a City employee to work on a full time basis on the annual fund raising campaign.

(b) Vision and Mission Statement for Downtown

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 August 14, respecting the above noted matter.

The Committee approved the following:

(a) That "American Communities Partnership" be retained to co-ordinate and facilitate a Downtown Vision Workshop and undertake all necessary background research for the Workshop at a cost of $10,000 (Canadian); and,

(b) That the cost of $10,000 be charged to the Downtown Hamilton Partnership, Account No. CF5698-119755029.

5. TREASURER

(a) Presentation - Update - Current Value Assessment

Tom Bradbury of the Treasury Department and the Treasurer gave an overhead presentation with respect to an update on Provincial downloading. Copies of the overheads were distributed. The Committee agreed to receive this document for information purposes.

(b) Financial and other Non-Departmental Budgets Quarterly Report as at 1997 June 30th

The Committee was in receipt of an information report from the Treasurer dated 1997 August 14, respecting the above noted matter, and received this document for information purposes.

(d) Excess or Surplus Capital Financing during 1997 and Outstanding Capital Grant Requests

The Committee was in receipt of an information report from the Treasurer dated 1997 August 8, respecting the above noted matter. The Committee agreed to receive this document for information purposes.

(e) Corporate Financial and Human Resource Systems - Year 2000 Compliance

The Committee was in receipt of a report from the Treasurer dated 1997 August 14, respecting the above noted matter.

The Committee approved the following:

(a) That the City Treasurer be authorized to commence a process of evaluating alternatives for replacing the existing financial and human resource systems for the City; and,

(b) That the purchasing policy and process used for hiring consultants, attached herewith and marked Appendix "A", be followed for the selection process; and,

(c) That a full report on the evaluation, recommended solution, cost and funding be forwarded to the Finance & Adminstration Committee for approval; and,

(d) That an amount of $50,000 be allocated, from the existing funding for Project Management - Tax System, to this project for staffing and/or consultants during the initial selection period; and,

(e) That this project be undertaken jointly with the Region of Hamilton-Wentworth.

(f) **Business Tax accounts assigned to the Bailiffs for collection**

The Committee was in receipt of a report from the Treasurer dated 1997 August 13, respecting the above noted matter, and approved the following:

That the City of Hamilton's Business Tax Collection Procedures be revised to provide for the assignment of Outstanding Business Tax Accounts in excess of $2,000 to the Bailiffs, for which immediate collection action is required.

(g) **Information Report - Realty and Business Tax Arrears and Collection Procedures**

The Committee was in receipt of an information report from the Treasurer dated 1997 August 8, respecting the above noted matter, and agreed to receive this document for information purposes.

6. **REFERRALS FROM OTHER COMMITTEES - Financing of the boarding up on 127 Burton Avenue**

The Committee was in receipt of a report from the Treasurer dated 1997 August 13, respecting the above noted matter.

The Committee approved the following:

That as referred to in Section 1 of the Tenth Report for 1997 of the Committee of the Whole, the boarding up of 127 Burton Avenue, at a cost not to exceed $4,200, be financed from the Unclassified Expenditures Account # CH55134-24201.

ADDED - TREASURER - Proposed widening of Centennial Parkway at Arrowsmith Road and Construction of a Traffic Turning Circle on Cascade Street in conjunction with Home Depot Development.

The Committee was in receipt of an added report from the Treasurer dated 1997 August 19, respecting the above noted matter, and approved the following:

That as referred to in Section 4 of the Ninth Report for 1997 of the Transport and Environment Committee, the City's share, of $155,800 for the proposed widening of Centennial Parkway at Arrowsmith Road and construction of a traffic turning circle on Cascade Street in conjunction with the Home Depot development, be financed from the Account Centre No. 00107 Reserve for Services through Unsubdivided Lands.

7. **CITY CLERK - 1997 Municipal Election - By-laws - to submit a question to the electors; to authorize advanced voting**

The Committee was in receipt of a report from the City Clerk dated 1997 August 13, respecting the above noted matter.

The Committee approved the following:

(a) That, pursuant to the Municipal Election Act, 1996, approval be given to the City Clerk to submit the following question to the electors on the ballot for the 1997, November Municipal Election:

"Do you agree to a provincially run Casino in the City of Hamilton?"; and,

(b) That, pursuant to the Municipal Election Act, 1996, approval be given to the City Clerk to conduct advanced voting for the 1997 Municipal Elections between the hours of 10:00 o'clock a.m. and 8:00 o'clock p.m. on Saturday, 1997 November 1 and Wednesday, 1997 November 5; and,

(c) That the appropriate By-law be enacted by City Council.

8. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

(a) **Staffing - Parks Maintenance Section**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 August 8, respecting the above noted matter.

The Committee approved the following:

That the staffing complement in the Department of Public Works and Traffic - Parks Maintenance Section be adjusted by deleting 1 F.T.E. Sports Groundskeeper 11 and that the staffing complement in the Department of Public Works and Traffic, Parks Maintenance Section, be adjusted by adding 1 F.T.E. Tractor Operator.

	Delete	Add
Sports Groundskeeper 11	1	
Tractor Operator		1
	1	1

Total change in complement: NIL

(b)(i) **Replacement of One (1) Salt and Sand Spreader complete with front two-way plow Unit 9676, Fleet Services.**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 August 18, respecting the above noted matter, and approved the following:

That a purchase order be issued to Hamilton Truck Service, Hamilton, in the amount of $156,807.10 including all applicable taxes, for the replacement of one (1) Salt and Sand Spreader complete with front two-way plow unit #9676 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649751023.

(b)(ii) **Purchase of Two (2) Hopper/Sanders with underslung plows complete with installation, for the maintenance of the Lincoln M. Alexander Parkway, Fleet Services**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 August 19, respecting the above noted matter, and approved the following:

That a purchase order be issued to London Machinery, London, in the amount of $77,737.70 including all applicable taxes, for the purchase of two (2) Hopper/Sanders with underslung plows complete with installation for the maintenance of the Lincoln M. Alexander Parkway, Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Regional Roads Capital Budget, Project Centre 3011732, Purchase of Vehicles/Equipment.

(b)(iii) **Purchase of Two (2) Salt and Sand Spreaders complete with front two-way plows for the maintenance of the Lincoln M. Alexander Parkway, Fleet Services**

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 August 19, respecting the above noted matter, and approved the following:

That a purchase order be issued to Hamilton Truck Service, Hamilton, in the amount of $313,614.20 including all applicable taxes, for the purchase of two (2) Salt and Sand Spreaders complete with front two-way plows for the maintenance of the Lincoln M. Alexander Parkway, Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Regional Roads Capital Budget, Project Centre 3011732, Purchase of Vehicles/Equipment.

9. CORRESPONDENCE

(a) **Hamilton Public Library Board - Changes to the Provincial Libraries Act, and recommendations for the structure of the Hamilton Public Library Board**

The Committee was in receipt of correspondence from the Hamilton Public Library Board dated 1997 July 11, respecting the above noted matter.

The Committee agreed to refer this document to the Chief Administrative Officer for review and a report back.

(b) **Planning and Engineering Initiatives Ltd. - request for refund of 5% Land Dedication Fee for 771 Limeridge Road East, Comley Elementary School which does not meet the criteria established by Council policy**

The Committee was in receipt of a memorandum from the Director of Technical Services and Deputy Building Commissioner dated 1997 August 5, and correspondence from Planning and Engineering Initiatives Ltd.'s Senior Planner, dated 1997 July 30, respecting the above noted matter.

(i) **Information Report - Building Commissioner - 5% Land Dedication - Request for Refund - 771 Limeridge Road East**

The Committee was in receipt of an information report from the Building Commissioner dated 1997 August 15, respecting the above noted matter.

Following discussion on this matter, the Committee approved the following:

That the City's policy respecting a refund of the 5% land dedication fee for the development of detached single family dwellings approved by City Council on 1996 July 9th for a one year period be extended specifically to apply to the property at 771 Limeridge Road East until 1998 February 10th.

10. BUILDING COMMISSIONER - 5% Land Dedication - Ridgeview Estates Phase 3 -Lots 1 - 14

The Committee was in receipt of a report from the Building Commissioner dated 1997 August 14, respecting the above noted matter, and approved the following:

That the Building Commissioner be authorized and directed to refund to the applicant, Valery Construction Limited, the equivalent to the 5% land dedication collected by the City of Hamilton under Section 51.1 and 53 of The Planning Act for Lots 1 - 14 in Ridgeview Estates Phase 3 in the amount of $16,100.

11. REFERRAL FROM CITY COUNCIL - Correspondence - Regional Chairman, Hamilton Wentworth Region - Open Letter to Ontario Municipal Leaders

The Committee was in receipt of a referral from City Council from its meeting of 1997 July 8, respecting the above noted matter, and agreed to receive this document for information purposes.

12. DIRECTOR OF CULTURE AND RECREATION - Natural Gas Buy/Sell Agreement

Alderman Charters declared a conflict of interest in this matter as his wife is an employee of Union Gas.

The Committee was in receipt of a report from the Director of Culture & Recreation dated 1997 August 11, respecting the above noted matter and approved the following:

(a) That the natural gas Agency Agreement between the City of Hamilton and Union Gas Limited be revised to reflect a change from the current Western Buy/Sell Agreement to a Bundled Transportation (Bundled-T) Service Agreement effective 1997 November 1 at no additional cost to the City; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the revised natural gas Agency Agreement between the City and Union Gas Limited in a form satisfactory to the City Solicitor; and,

(c) That the City's current supplier of natural gas, Engage Energy Canada L.P., be paid a fee of $0.025/gigajoule (approximately $6,000 per year) beginning 1997 November 1 until the end of the existing term in 1999 October 31 for Energy Management Services to assist the City in managing its natural gas procurement, with said cost to be accounted for within existing energy budgets.

13. CITY SOLICITOR - The Control and Licensing of Dogs

The Committee was in receipt of a report from the City Solicitor dated 1997 August 12, respecting the above noted matter, and approved the following:

That By-law No. 85-148 on the Control and Licensing of Dogs be amended to require dogs that are suspected of biting a person or other animal to wear a muzzle.

The Committee directed that the By-law to Amend By-law No. 85-148, respecting the Control and Licensing of Dogs, attached to the report, be forwarded to City Council for enactment.

14. OTHER BUSINESS

Alderman Wilson indicated that he had been contacted respecting the absence of a commemorative memorial in the City on the Dieppe casualties. In this regard, it was agreed that Alderman Wilson would speak to the Hamilton Veterans Committee on this matter.

Alderman Merling commented on the second recent fire on the City Hall roof as a result of the roof repairs which are presently underway. He questioned why this work was given to a Toronto firm. In this regard the Director of Culture and Recreation responded to indicate that the Toronto firm's tender bid was substantially lower than local firm. As well, he advised that the torching equipment has been taken off the work site, and other alternative methods will be used to complete the job. An Information report on this second fire has been sent to all members of Council.

Alderman Drury referenced the use of scanner fire equipment to detect fires behind walls and other barriers. The Fire Chief responded that this equipment has been very beneficial to firefighting, and in fact was used to locate the source of the fire behind the facade in the City Hall roof fire. Alderman Drury suggested that the possibility of purchasing additional scanners should be considered.

15. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1997 August 19

1997 August 26

Appendix "A" referred to in Section 16 of the Nineteenth Report of the Finance and Administration Committee for 1997

Process for Selection of Corporate Financial and Human Resource Software

Phase I

1. Invite known vendors (see list below) to make presentations to demonstrate their systems and how they will meet the pre-defined set of functional and technical needs. Advertisements will be placed, in the Globe and Mail, The Spectator, and the City Web page on the internet, to solicit any other vendors not listed.

2. Conduct an in-depth analysis to determine a short list of, a minimum of 2 and a maximum of 5, vendors to move on to Phase II of the evaluation.

Phase II

1. Request detailed costs, from each short-listed vendor, providing a menu of options ranging from base costs to providing a fully implemented system on a turnkey basis.

2. Provide on-site testing of their system on the City network.

3. Provide a reference of one site where their system has been implemented for the purpose of a site visit.

4. Develop a business case for preferred option and make recommendation to F&A Committee and Council

List of Vendors:

- GEAC (Software Current vendor)
- J.D.Edwards & Co
- Baan
- SAP
- Oracle
- Peoplesoft
- Systems Union Inc. (Sun Systems)

PHASE I CRITERIA

Evaluation

In order to facilitate the software selection, an evaluation team consisting of internal staff from the City and Region will be assigned to carry out an evaluation of each vendor's software offering.

Evaluation Criteria

i. **Functional Reporting**

Emphasis will be on determining how the software meets the City's and Region's immediate requirements. These requirements include:

(1) General Ledger
(2) Budget
(3) Accounts Payable
(4) Purchasing
(5) Payroll
(6) Human Resources

(Detailed and specific requirements will be prepared under separate cover)

ii. **Management Reporting**

Emphasis will be given to the software's ability to facilitate the following business functions:

(a) **Analytical processing** - drill down capability for analysis and reporting are powerful management tools. Ability to provide financial and performance measurement data for what-if analysis, graphical output and interactive access are all critical to today's managers.

(b) **Work-flow integration** - Provides productivity and communications enhancement opportunities by streamlining work-flows across various systems.

(c) **Activity Based Costing** - Ability to accumulate costs on a pre-determined unit of measure for an activity or program.

(d) **Performance measurement** - Today's management reporting systems must provide the ability for the accumulation of not only financial data but also units of measurement for the services provided. Provincial reporting requirements are changing to require reporting on pre-determined performance measures.

(e) **Flexible Reporting** - New management Support systems must be flexible enough to allow for defining how and where resources are utilized and services delivered. Specifying the output measures, like number of kilometres of road maintained or side-walk repaired, are now becoming mandatory requirements for all new systems

(f) **Budget preparation** - The budget preparation process is no longer a simple number crunching process. Increasing costs , through down-loading, and zero percent increases require managers to have an interactive budget process to be able to create scenarios and perform "what-if"type analysis. Integration with data from other systems like payroll and Human Resources are critical to the whole budget preparation process.

iii. **21st Century Sustainability**

Functional requirements are usually developed on the basis of past needs. Ability to meet the needs of the past is no longer the only criteria for selecting software. Systems that provide future functionality must be given credit for forethought and cost savings built into the business case. Systems that provide, for example, internet readiness or EDI (electronic data exchange) should be considered as key factors to being able to meet the changing environment demands without additional costs for upgrading. Vendor viability, cost of ownership and support are also important criteria for the future viability of the chosen software. Attention will be given to the vendors financial strength, market focus, customer satisfaction, R&D investment and product strategy.

iv. **Technical**

- "IEEE" 802.3 Network (ethernet), with TCP/IP protocols
- Clients must have WIN95 or WINNT
- Server WINNT server
- System must run onINTEL or INTEL and ALPHA Server
- Preferred database is Microsoft SQL Server

v. Overall

Overall attention will be paid to the software's robustness, reliability, internal security control and responsiveness. Consideration will be given to things such as ease of navigation, quality of help available, and look-up capabilities. It is important that at a minimum there be on-line inquiry access to information and on-line requisition entry. In order to facilitate our implementation strategy the software should be available in combination of character base, GUI, and client server modes.

1997 August 26

PHASE II CRITERIA

TOTAL SYSTEM COST

A. Total System Cost must include at least the following:

- One-time licensing cost of the following:
  - (i) General Ledger
  - (ii) Budget
  - (iii) Accounts Payable
  - (iv) Purchasing
  - (v) Payroll
  - (vi) Human Resource
  - (vii) Maintenance Management (Activity Based Costing)
  - (viii) Accounts Receivable
- Consulting/integration implementation services
- Any network upgrades, hardware (Servers, Cards, etc) or software necessary to permit the application software to run successfully with pre-determined response times
- On-going annual Maintenance Costs
- Internal staffing requirements for:
  - Implementation and Conversion
  - Ongoing System Maintenance
- Other related costs

Alternate cost must be provided for turnkey (complete package implemented and converted). If there is a consortium submission involving more than one vendor in partnership, one of the vendors must be selected as official respondent for the purpose of submission and primary contact/communication during evaluation process.

B. Each vendor has three weeks to prepare a test environment that will facilitate the City/Region's testing of their software. The testing can be done at the City/Region headquarters (preferred), or at the vendor's site within the Greater Toronto Area. The test environment should include:

- Deliverable software installed and configured on a test hardware platform;
- A configured database loaded with data derived from our specifications;
- Sufficient support staff to assist staff to carry out the testing;
- Sufficient training of the staff to carry out testing;
- Documentation.

Tuesday, 1997 August 26th
7:00 o'clock p.m.
Room 233, City Hall

A. (ii)

A Special meeting of the Finance and Administration Committee was held.

There were present:
Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Mayor Robert M. Morrow
Alderman D. Drury
Alderman C. Collins
Alderman M. Kiss

Regrets:
Alderman T. Anderson - Other business
Alderman D. Wilson - Family business
Alderman V. Agro - City Business

Also present:
Alderman M. Caplan
Alderman F. D'Amico
Alderman F. Eisenberger
Alderman H. Merling
Alderman T. Jackson
Alderman G. Copps
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noe Johnson, City Solicitor
L. King, Building Commissioner
D. Lobo, Commissioner of Public Works and Traffic
Susan K. Reeder, Secretary

A G E N D A

TREASURER

1. The Treasurer gave a verbal update on recent events respecting Provincial downloading. The Treasurer gave reference to a meeting held with the Minister of Municipal Affairs, Al Leach and the Mayor, Chairman Cooke, area Mayors, representative of Council and staff. At this meeting, the Minister again reiterated that the downloading process would be "revenue-neutral". The Treasurer advised the Committee of the recently tabled Services Improvement Act and the further downloading announcements contained in it.

   General discussion then ensued on this matter.

2. **IN CAMERA AGENDA**

   The Committee moved In Camera to discuss matters of a Private and Confidential nature.

   The Committee moved back into regular session.

3. **ADJOURNMENT**

   There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder
Secretary
1997 August 26th

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 26

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Maintenance of Xerox 5090 Photocopier

RECOMMENDATION:

That Xerox Canada Ltd. be awarded the maintenance contract for the city-owned Xerox 5090 photocopier for a term to expire December 31, 1998 with two - one year renewal periods at the discretion of the City Clerk's Department at a base monthly cost of $309.46 and $0.0063 per copy.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the Rent-Photocopiers account within the Print & Mail Division of the City Clerk's Department. Invoices for maintenance of this piece of equipment are estimated to average $4,000. per month.

BACKGROUND:

The Xerox 5090 photocopier was purchased by the city from Xerox Canada Ltd. at the expiration of the lease a couple of years ago. It is much more cost efficient to continue to purchase only maintenance on this photocopier from Xerox and toner from another supplier rather than enter into lease for another photocopier. Xerox is the only company that can currently provide a maintenance service on this photocopier. Continuing with the "maintenance only" option permits savings estimated at $60,000 to $70,000 per year in leasing costs as long as the current piece of equipment remains reliable.

Awarding the maintenance contract for only a one year period with two renewal options at the discretion of the City Clerk's Department allows for this maintenance contract to be awarded to another company if this option becomes available over the next three years at less cost. It also permits a change to leasing a new photocopier if the current unit becomes unreliable anytime over the next three years without being bound by a multi-year maintenance agreement.

B. (30 11)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Extension of Terms of Office for Citizen Members on City Committees, Local Boards and Commissions

RECOMMENDATION:

That the terms of office for the existing citizen members of the various City Committees, Local Boards and Commissions expiring at the end of 1997, be extended until 1998 February 10, or until their successors are appointed, to allow the Committees, Local Boards and Commissions to function until such time as the newly elected Council has had an opportunity to undertake the necessary actions to fill these vacancies.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: n/a

BACKGROUND:

With the 1997 Municipal Election being held on Monday, 1997 November 10, it would be time restrictive for the newly elected Council to appoint a Selection Committee, conduct interviews and recommend the appointment of all citizen members of the various City Committees, Local Boards and Commissions before their terms expire, some of which are 1997 November 30 and others 1997 December 31.

In keeping with City policy, three Orientation Sessions for citizens interested in serving on the various City Committees, Local Boards and Commissions, will be held during the last week of 1997 November with Selection Committee interviews being conducted in 1998 January. It is anticipated that the Selection Committee's recommendations will be considered by the appropriate Standing Committees and the Nominating Committee by the 1998 February 10 meeting of City Council.

JJS/ct

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 18

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: By-law - Re: Voting Place Hours for Institutions and Retirement Homes.

RECOMMENDATION:

That a By-law be enacted to provide for the reduction of opening hours with respect to a voting place described in sub-section 45(7) of The Municipal Elections Act, 1996 that is only for the use of residents of the institution or retirement home, in a Municipal Election, as follows:

The close of voting on voting day may take place prior to 8:00 p.m. where,

(a) every elector whose name appears on the voters' list for the premises has requested a ballot, and either voted, or been afforded an opportunity to vote, left the polling place without returning the ballot, or declined to vote and returned the ballot,

(b) the Deputy Returning Officer has verified with the administrator of the premises which is described in subsection 45(7) that no other qualified electors reside within the premise, and

(c) the Deputy Returning Officer has confirmed with an election official at the Election Office of the City of Hamilton that the requirements prescribed under clauses (a) and (b) have been met.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The reduction in opening hours with respect to voting places described within Sub-Section

45(7) of the Municipal Elections Act will have no significant budgetary impact. Previous Municipal Elections Legislation permitted the closing of Section 45(7) polls by 1:00 p.m. where similar conditions had been met, without need of passing a by-law. The revised Municipal Elections Act, does permit earlier poll closing but in most cases it is estimated that few polls will close before 1:00 p.m.. The election budget therefore already reflects the costs of opening a limited number of polls for only 5 hours.

BACKGROUND:

The Municipal Elections Act, 1996. passed 1996 December 19 streamlined previous election procedures and introduced new flexibility to the local level for the conduct of municipal elections.

The Municipal Elections Act, 1996 allows a local municipality to pass a by-law providing for reduced operating hours with respect to voting places described in Section 45(7) of the Act that is only for the residents of the institution or retirement home. Section 45(7) of the Municipal Elections Act requires that a voting place be provided on the premises of the following:

(a) An institution for the reception, treatment or vocational training of members of the Canadian Armed Forces.

(b) An institution in which on nomination day, 20 or more beds are occupied by persons who are disabled, chronically ill or infirmed.

(c) A retirement home in which on nomination day, 50 or more beds are occupied.

The previous Municipal Elections Act permitted these polls to close only after 1:00 p.m. if the Deputy Returning Officer was satisfied that all residents of the premises had voted or had been afforded an opportunity to vote.

The primary locations affected under Section 45 (7) in the City of Hamilton are Retirement Homes and Chronic Care Facilities. The Ontario Psychiatric Hospital is also included under Section 45(7).

All nominated candidates will be notified of the location of polling locations within each Ward that may be affected by the passage of this by-law.

Bill No.

The Corporation of the City of Hamilton

By-law No. 97-

Respecting:

MUNICIPAL ELECTION MATTERS

WHEREAS Section 46 of the Municipal Elections Act, 1996 authorizes a municipality to pass a by-law to provide for reduced voting times at a defined institution or retirement home;

AND WHEREAS City Council, on September 30, 1997, in adopting Section (specify) of the (specify) Report of the Finance and Administration Committee, authorized (specify).

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

The voting places at,

(i) an institution for the reception, treatment or vocational training of members of the Canadian Armed Forces, or

(ii) an institution in which, on nomination day, 20 or more beds are occupied by persons who are disabled, chronically ill or infirm, or

(iii) a Retirement Home in which, on nomination day, 50 or more beds are occupied,

shall be closed prior to 8:00 post meridian on November 10, 1997, when

(a) every elector whose name appears on the voters' list for the premises has requested a ballot, and either voted, or been afforded an opportunity to vote, left the polling place without returning the ballot, or declined to vote and returned the ballot,

(b) the Deputy Returning Officer has verified with the administrator of the premises, which is described in subsection 45(7) of the Municipal Elections Act, 1996, that no other qualified electors reside within the premise,'and

(c) the Deputy Returning Officer has confirmed with an election official at the Election Office of the City of Hamilton that the requirements prescribed under clauses (a) and (b) have been met.

PASSED this day of , 1997.

CITY CLERK MAYOR

C. (9)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

12 Burfield Ave.	134 East 36th St.
378 Avondale St.	29 Depew St.
1837 Main St W.	47 Glenburn Crt.
134 Cavell Ave.	32 Harvey St.
21 Cheever St.	179 Kimberley Dr.
131 Kensington Ave N.	232 Hunter St E.

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/WDD

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	12 BURFIELD AVE
	SERIAL NUMBER	06 05640 2060
	BRIEF LEGAL DESCRIPTION	PLAN 964 LOT 123
	DATE OF REGISTRATION	OCTOBER 22,1996
	INST # OF TAX ARREARS CERTIFICATE	LT424107
	REDEMPTION DATE	OCTOBER 22,1997
	TOTAL ARREARS	$16,133.17
B)	PROPERTY ADDRESS	378 AVONDALE ST
	SERIAL NUMBER	04 02875 7150
	BRIEF LEGAL DESCRIPTION	PLAN 465 PT LOT 39 PT LOT 40
	DATE OF REGISTRATION	OCTOBER 22,1996
	INST # OF TAX ARREARS CERTIFICATE	VM235290
	REDEMPTION DATE	OCTOBER 22,1997
	TOTAL ARREARS	$8,541.50
C)	PROPERTY ADDRESS	1837 MAIN ST W
	SERIAL NUMBER	01 00110 8020
	BRIEF LEGAL DESCRIPTION	PLAN 917 LOTS 8, 9 & 10
	DATE OF REGISTRATION	OCTOBER 22,1996
	INST # OF TAX ARREARS CERTIFICATE	LT424108
	REDEMPTION DATE	OCTOBER 22,1997
	TOTAL ARREARS	$87,236.99
D)	PROPERTY ADDRESS	134 CAVELL AVE
	SERIAL NUMBER	04 02855 5220
	BRIEF LEGAL DESCRIPTION	PLAN 370 LOT 121
	DATE OF REGISTRATION	OCTOBER 22,1996
	INST # OF TAX ARREARS CERTIFICATE	LT424109
	REDEMPTION DATE	OCTOBER 22,1997
	TOTAL ARREARS	$8,578.12
E)	PROPERTY ADDRESS	21 CHEEVER ST
	SERIAL NUMBER	03 02180 0160
	BRIEF LEGAL DESCRIPTION	PLAN 10 LOT 41
	DATE OF REGISTRATION	OCTOBER 24,1996
	INST # OF TAX ARREARS CERTIFICATE	LT424364
	REDEMPTION DATE	OCTOBER 24,1997
	TOTAL ARREARS	$8,454.77
F)	PROPERTY ADDRESS	131 KENSINGTON AVE N
	SERIAL NUMBER	04 02825 2370
	BRIEF LEGAL DESCRIPTION	PLAN 459
	DATE OF REGISTRATION	NOVEMBER 5,1996
	INST # OF TAX ARREARS CERTIFICATE	LT426272
	REDEMPTION DATE	NOVEMBER 5,1997
	TOTAL ARREARS	$9,722.21

G)	PROPERTY ADDRESS	134 EAST 36TH ST
	SERIAL NUMBER	06 06260 3240
	BRIEF LEGAL DESCRIPTION	PLAN 816 LOT 50
	DATE OF REGISTRATION	NOVEMBER 5,1996
	INST # OF TAX ARREARS CERTIFICATE	LT426265
	REDEMPTION DATE	NOVEMBER 5,1997
	TOTAL ARREARS	$11,043.18
H)	PROPERTY ADDRESS	29 DEPEW ST
	SERIAL NUMBER	04 02880 5860
	BRIEF LEGAL DESCRIPTION	PLAN 465 LOT 242
	DATE OF REGISTRATION	NOVEMBER 13,1996
	INST # OF TAX ARREARS CERTIFICATE	VM235871
	REDEMPTION DATE	NOVEMBER 13,1997
	TOTAL ARREARS	$8,826.74
I)	PROPERTY ADDRESS	47 GLENBURN CRT
	SERIAL NUMBER	05 04630 3364
	BRIEF LEGAL DESCRIPTION	WCP 30 LEVEL I UNIT 22
	DATE OF REGISTRATION	NOVEMBER 13,1996
	INST # OF TAX ARREARS CERTIFICATE	LT426993
	REDEMPTION DATE	NOVEMBER 13,1997
	TOTAL ARREARS	$7,773.74
J)	PROPERTY ADDRESS	32 HARVEY ST
	SERIAL NUMBER	03 02340 6360
	BRIEF LEGAL DESCRIPTION	PLAN 143 PT LOT 14
	DATE OF REGISTRATION	DECEMBER 4,1996
	INST # OF TAX ARREARS CERTIFICATE	LT430087
	REDEMPTION DATE	DECEMBER 4,1997
	TOTAL ARREARS	$8,200.52
K)	PROPERTY ADDRESS	179 KIMBERLEY DR
	SERIAL NUMBER	04 03510 1900
	BRIEF LEGAL DESCRIPTION	PLAN 538 LOT 528
	DATE OF REGISTRATION	DECEMBER 24,1996
	INST # OF TAX ARREARS CERTIFICATE	LT432705
	REDEMPTION DATE	DECEMBER 24,1997
	TOTAL ARREARS	$12,076.20
L)	PROPERTY ADDRESS	232 HUNTER ST E
	SERIAL NUMBER	02 01920 0340
	BRIEF LEGAL DESCRIPTION	SURVEY S PT LOT 4
	DATE OF REGISTRATION	OCTOBER 24,1996
	INST # OF TAX ARREARS CERTIFICATE	VM235351
	REDEMPTION DATE	OCTOBER 24,1997
	TOTAL ARREARS	$10,115.15

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.97-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1997, A.D.,

CITY CLERK **MAYOR**

CITY OF HAMILTON

- RECOMMENDATION -

C. (ii)

DATE: 1997 September 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Tax applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990

RECOMMENDATION:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $12,973.74 be approved and charged to CH55307-24104 Tax Remissions.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A - See above recommendation

BACKGROUND:

In accordance with Section 443, Subsection (5) of the Municipal Act, R.S.O. 1990, this Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are valid and therefore may only be heard and approved by Council provided that they comply with subsection (5) and that all applications have been confirmed and approved by the Regional Assessment Commissioner.

The Regional Assessment Commissioner has confirmed and approved these appeals and I am recommending that the attached summary of tax appeal applications be approved and charged to the Tax Remissions Account.

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
REALTY				
96-0004	030 2710 0790	1994	C	4,508.81
96-0034	030 2660 3860	1994	E	274.36
96-0035	030 2660 3860	1995	E	282.10
96-0038	060 6250 6880	1994	E	127.24
96-0039	060 6250 6880	1995	E	130.83
97-0009	020 1820 0310	1995	C	866.69
97-0010	020 1820 0310	1996	C	882.26
97-0016	040 3040 0790	1995	C	1,340.90
97-0017	040 3040 0790	1996	C	1,364.99
		TOTAL REALTY		9,778.18
BUSINESS				
96-0005	030 2710 0790 0220	1994	B	1,706.68
97-0007	020 1820 0310 0020	1995	B	259.77
97-0008	020 1820 0310 0020	1996	B	264.43
97-0013	030 2150 0460 0020	1996	A	49.43
97-0019	050 4920 4910 0020	1995	A	915.25
		TOTAL BUSINESS		3,195.56
		TOTAL ADJUSTMENT		12,973.74

CITY OF HAMILTON

- RECOMMENDATION -

C. (iii)

DATE: 1997 September 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Landscaping in the median at the intersection of Arrowsmith Road and Centennial Parkway - Financing

RECOMMENDATION:

That the cost of landscaping in the median at the intersection of Arrowsmith Road and Centennial Parkway as referred to in Section 4 (d) of the Ninth Report for 1997 of the Transport and Environment Committee adopted by Council 1997 August 26 in an amount not to exceed $40,000. be financed from the Reserve for Services Through Unsubdivided Lands, Account Centre No. CH 00107.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed from all 1997 projects related to subdivision expenditures including this recommendation is $348,281.75. The 1997 Capital Budget includes a provision of $800,000 for the City's share of Subdivision expenditures in 1997.

BACKGROUND:

This item was approved under Section 4 (d) of the NINTH Report of the Transport and Environment Committee adopted by Council 1997 August 26.

NRA:jc

c.c. E. M. Gill, Senior Director, Roads Dept., Attention: G. Aston
D. Lobo, Commissioner of Public Works & Traffic

D. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 August 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of One Detachable Snow Blower
Unit 9601, Fleet Services.

RECOMMENDATION:

That a purchase order be issued to Joe Johnson Equipment, Barrie, in the amount of $103,408.00 including all applicable taxes and trade-in, for the replacement of one (1) Detachable Snow Blower unit #9601 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649751023.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1997 Fleet Services vehicle replacement programme, as approved by City Council on March 18, 1997. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

Joe Johnson Equipment, Barrie	$103,408.00
Viking Cives Ltd., Mount Forest	103,500.00
Sheridan Equipment, Mississauga	121,049.00

This tender was advertised and four suppliers were notified, three responded.

This vehicle will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the Fleet complement.

DM/DL

cc: C. Guthro, Manager of Fleet Services
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator
C. Rendell, Intermediate Buyer, Purchasing Division

D. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of Two (2) Truck Chassis with Service Bodies Units 6014 and 6015, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Altech Industries Ltd., Milton, in the amount of $131,100.00 including all applicable taxes, for the replacement of two (2) Truck Chassis complete with Service Bodies units #6014 and 6015 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649651019.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1996 Fleet Services vehicle replacement programme, as approved by City Council on January 30, 1996. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account. This expenditure is within the approved 1996 budget allotment.

BACKGROUND: Tender Analysis

Altech Industries, Milton	$131,000.00
Hamilton Motor Products, Hamilton	134,354.50
Robert Slessor Pontiac Buick, Grimsby	134,452.25
City Chevrolet, Oldsmobile, Hamilton	162,348.44

This tender, for various types of equipment, was advertised and seventeen suppliers were notified. Four responded to this section.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the Fleet complement. Units being replaced will be disposed of at a future auction.

DM/DL
cc: C. Guthro, Manager of Fleet Services
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator
C. Rendell, Intermediate Buyer

D.
(iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of Three (3) Extended Cab Pick-Up Trucks, Units 1435, 9096, and 9393 Fleet Services.

RECOMMENDATION:

That a purchase order be issued to City Chevrolet, Oldsmobile Ltd., Hamilton, in the amount of $99,460.05 including all applicable taxes, for the replacement of three (3) Extended Cab Pick-ups #1435, 9096 and 9393 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5530 649751023.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1997 Fleet Services vehicle replacement programme, as approved by City Council on March 18, 1997. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

City Chevrolet, Oldsmobile, Hamilton	$99,460.05
Robert Slessor Pontiac, Buick, Grimbsy	102,189.00
Hamilton Motor Products, Hamilton	102,520.20
Holland Geo, Chevrolet, Oldsmobile, Burlington	102,996.30

This tender, for various types of equipment, was advertised and seventeen suppliers were notified. Four responded to this section.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the Fleet complement. Units being replaced will be disposed of at a future auction.

DM/DL

cc: C. Guthro, Manager of Fleet Services
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator
C. Rendell, Intermediate Buyer

E.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 September 17th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Retail Task Force (Dylex Limited; Hudson's Bay Company; The Oshawa Group Limited) - Provincial tax reform - letter dated 1997 August 7th

(b) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1997 June 30th - report dated 1997 August 19th

(c) Information Report - City Clerk - Legislative Quarterly Report as at 1997 June 30th - report dated 1997 August 19th

(d) Information Report - Director of Culture and Recreation - Roof Fire - City Hall - 1997 August 18th - report dated 1997 August 19th

(e) Information Report - Chief Administrative Officer - Glengrove Avenue from Reid Avenue to Armstrong Avenue - report dated 1997 August 22nd

(f) Information Report - Treasurer - Financial Shared Services Proposal - report dated 1997 August 29th

(g) Information Report - Director of Culture and Recreation & the Building Commissioner - Barrier Free Design Modifications Strategy - All City Buildings - report dated 1997 August 27th

(h) Information Report - Chief Administrative Officer - CAO Department Quarterly Report as at 1997 June 30th - report dated 1997 August 11th

(i) Information Report - Fire Chief - Restoration of Fire Department Apparatus - Plastimet Fire - report dated 1997 September 4th

(j) Correspondence - Bernard A. Moyle, Fire Marshal of Ontario, Ministry of the Solicitor General and Correctional Services - Fire Marshal's Report, "Protecting the Public and the Environment by Improving Fire Safety at Ontario's Recycling and Waste Handling Facilities" - letter dated 1997 August 29th.

(k) Correspondence - City of Toronto - Provincial Inquiry - Fire at Plastimet Inc., Hamilton, Ontario - letter dated 1997 August 26th

(l) Memorandum - Real Estate Division - Real Estate Division of the City Clerk's Office to the Region for the second quarter of 1997 - memo dated 1997 September 3rd

(m) Recommendation to the Transport and Environment Committee from the Commissioner of Public Works and Traffic - 1997 Servicing Expenditures related to Sub-divisions - report dated 1997 September 3rd

(n) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1997 August 31st - report dated 1997 September 8th

(o) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1997 August 31st - report dated 1997 September 8th

(p) Correspondence - City of Toronto - Emergency Funding for Poland and the Czech and Slovak Republics' - Flood Disaster - letter dated 1997 September 4th

(q) Information Report - Chief Administrative Officer - Plastimet Fire Costs - report dated 1997 September 16th

(r) Information Report - Commissioner of Human Resources - Human Resources Centre Re-Structuring - report dated 1997 September 15th

(s) Information Report - Commissioner of Human Resources - Appointments to and Terminations from permanent positions with the Corporation of the City of Hamilton - report dated 1997 September 15th

(t) Information Report - Treasurer - Town of Flamborough - Purchasing Service Proposal - dated 1997 September 17th

(u) Correspondence - Regional Municipality of Halton - Resolution from the City of Hamilton - Plastimet Fire - letter dated 1997 September 11th

(v) Correspondence - City of Sault Ste. Marie - Resolution from the City of Hamilton - Plastimet Fire - Public Inquiry - letter dated 1997 September 10th

(w) Correspondence - City of Burlington - Fire at Plastimet Inc. - letter dated 1997 September 9th

(x) Correspondence - Ontario Restaurant Association - Potential Referendum Question on Smoking Bylaws - letter dated 1997 September 11th

Susan K. Reader

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and 12vsb3T

URBAN/MUNICIPAL
CA4 ON HBL A05
C51 F31
1997

NOTICE OF MEETING

URBAN MUNICIPAL
OCT 9 1997
GOVERNMENT DOCUMENTS

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 October 7
1:30 o'clock p.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

DELEGATIONS - 2:00 O'CLOCK P.M.

1. Michael Wiggins - Natural Resources Canada - Presentation on District Energy and Information pertaining to their Project (no copy)

2. Representatives from James Street Baptist Church (no copy)

1:30 O'CLOCK P.M.

3. **IN CAMERA AGENDA**

4. **CONSENT AGENDA**

5. **ALDERMAN D. WILSON**

   Public unassumed alleys (no copy)

6. **CITY CLERK**

   Changes to the Standing Committee and City Council Meeting Schedule

7. **REFERRAL FROM CITY COUNCIL**

   1996 Hamilton Harbour Commissioners Annual Report

8. **GRANTS CO-ORDINATOR**

Requested Information Report - Outstanding 1997 Capital Grant Requests

9. **CHIEF ADMINISTRATIVE OFFICER**

Analysis of Soil Samples from City of Hamilton Park Site

10. **DEVELOPMENT CHARGES STAFF SUB-COMMITTEE**

Development Charges Act - Complaint; 271 Jackson Street West

11. **CITY SOLICITOR**

Appointment of City's Insurance Brokers of Record

12. **TREASURER**

Presentation - Update - Current Value Assessment (no copy)

13. **OTHER BUSINESS**

14. **ADJOURNMENT**

CITY OF HAMILTON

- RECOMMENDATION -

6

DATE: 1997 October 3

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Changes to the Standing Committee and City Council Meeting Schedule

RECOMMENDATION:

That in recognition of the upcoming Municipal Election and the subsequent Inaugural Meeting that the following changes to the Standing Committee and City Council Meeting Schedule be implemented:

(a) That the first set of Standing Committee and City Council meetings in November be cancelled; and,

(b) That the meeting schedule for 1997 December be amended to reschedule the Standing Committees to the week of 1997 December 8th at dates and times to be co-ordinated with the Regional meeting schedule; and,

(b) That the 1997 December City Council meeting be held at 2:00 o'clock p.m. on Tuesday, 1997 December 16th (same day as Regional Council).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

As members of City Council are aware, the Municipal Election will be held on Monday, 1997 November 10th. The present Meeting Schedule has Standing Committee meetings the week of 1997 November 3rd (one week prior to the election) with the subsequent City Council meeting being held on Tuesday, 1997 November 11th (the day after the election). It is being recommended that this series of meetings and City Council meeting be cancelled.

The second series of meetings in November are held the week of 1997 November 17th for Standing Committee meetings with the subsequent City Council meeting to be held on Tuesday, 1997 November 25th.

The City Council Inaugural Meeting has been tentatively scheduled by the Mayor for Thursday, 1997 December 4th. The term of office for the present members of City Council expires on 1997 December 1st.

It is being proposed that the City Clerk work in conjunction with the Regional Clerk to schedule Standing Committee meetings in a compressed week of 1997 December 8th, immediately following the proposed Regional Inaugural on Monday, 1997 December 8th. It is also proposed that a City Council meeting be scheduled immediately prior to the Regional Council meeting on Tuesday, 1997 December 16th.

cc J. Pavelka, Chief Administrative Officer
B. Prowse, Regional Clerk, Region of Hamilton-Wentworth

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO:	Susan K. Reeder, Secretary Finance and Administration Committee	YOUR FILE:	
FROM:	Mr. J. J. Schatz City Clerk Office of the City Clerk	OUR FILE: PHONE:	 546-2727
SUBJECT:	Referral from City Council - 1996 Hamilton Harbour Commissioners Annual Report	DATE:	1997 October 3

This will confirm that City Council, at its meeting held Tuesday, 1997 September 30th agreed to refer the 1996 Hamilton Harbour Commissioners Annual Report to the Finance and Administration Committee.

Attached herewith is a copy of the Annual Report.

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554

The Hamilton Harbour Commissioners

September 5, 1997

OFFICE OF THE CITY CLERK
SEP 0 9 1997
REC. BY ..... DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....
ACTION: For City Council

Mr. J. Schatz
City Clerk
The Corporation of the City of Hamilton
City Hall, 71 Main St. West
HAMILTON, ON L8N 3T4

Dear Mr. Schatz,

We are pleased to enclose for your information a copy of our l996 Annual Report. If you have any questions or comments regarding this report, please call at your convenience.

The Commissioners would like to acknowledge and thank you for the ongoing support for the Port of Hamilton by the City of Hamilton.

Yours very truly,
THE HAMILTON HARBOUR COMMISSIONERS

P. J. Dillon
Chairman

Laurel Wilson
Commissioner

B. J. Hinkley
Commissioner

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ANNUAL REPORT 1996

The Hamilton
Harbour
Commissioners

REPORT FROM THE CHAIRMAN AND THE PORT DIRECTOR

Cargo volumes at the Port of Hamilton rebounded in 1996 to 12,925,919 tonnes. The lion's share of this was domestic and U.S. cargo, amounting to 11,377,743 tonnes for the year. This is the highest tonnage level achieved in almost a decade and was brought about by an increase in bulk raw materials imported to feed the Port's waterfront industrial complex.

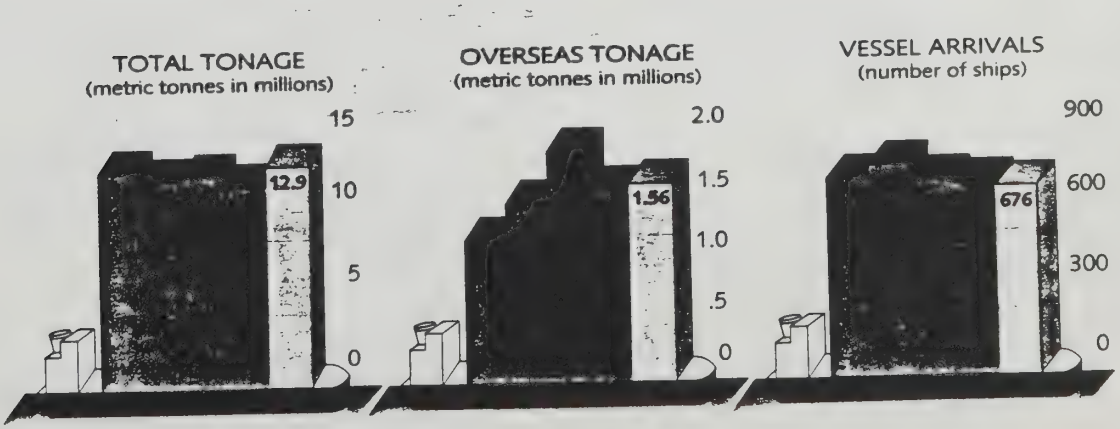
Overseas cargo totalled 1,548,176 tonnes, unchanged from the previous year. The number of commercial vessel calls at the Port in 1996 was 676, also unchanged from last year.

The 1996 navigation season in Hamilton opened on March 30 with the arrival of the M.V. "Frontenac" carrying coal to Pier 17 and closed on December 24 with the departure of the M.V. "Manitoulin", after discharging a load of iron ore at Pier 16. Both the dates and the cargoes are reflective of a typical operating season in the harbour.

The Port's first overseas vessel was the M.V. "Federal Fuji", which arrived on March 31 bringing a load of steel from Venezuela.

On the financial side, total revenue for the year increased to $10,985,476. This change can be attributed to growth in business as the Port, once again, did not increase its charges for cargo and berthage. During the year, a total of $3,331,752 was expended on maintenance of the Port's structures and the building of new works. Port lands generated $2,770,454 in municipal taxes for the City of Hamilton. A significant cost can be attributed to the dredging of almost 40,000 cubic metres of material from the Port's shipping channels during the year. Approximately one half of this work was carried out in the Burlington Ship Channel. Although this channel is not part of the harbour, the Commissioners had to undertake this work, in the absence of others, in order to keep the Port open to ship traffic.

The Commissioners completed a major upgrading of the power distribution system on Pier 11. The system was increased to 13.8kV and moved underground, eliminating the hazard of overhead wires on the Pier, which receives most of the Port's liquid bulk cargo.



The Commissioners purchased three 20 tonne lift trucks in 1996, bringing the fleet to a total of 36. The new trucks are ideally suited to handling break bulk steel cargo both on the dock and in a ship's hold.

Improvements were ongoing at our Harbour West Marina Complex in 1996. A general upgrading of the marina fuel dock, the only one in the harbour, was undertaken. Additional inside boat storage was created in Shed 7. Our shop and repair facility had a busier than normal season with revenues up 124% over the previous season.

Harbour West Sailing Adventures purchased a CS36 foot Merlin for use with our Georgian Bay Sailing Program. Approximately 2,000 students made use of our sailing programs during the year and the new vessel proved to be one of the sailing school's main attractions.

Use at our Fisherman's pier facility, adjacent to the Burlington Canal, remained steady with 3,750 paid launches. The launch ramp is popular with sport fishermen using both the harbour and Lake Ontario.

The Port continued its active role in both the American Association of Port Authorities and the Canadian Port and Harbour Association, sending representatives to serve on the board of directors of both organizations.

The Port of Hamilton Spill Control Group remained active during the year with the full participation of 16 waterfront industries.

We would like to thank the Port's management staff and our work force; the accomplishments achieved in 1996 are a result of their efforts. We would also like to acknowledge the support of our Board of Commissioners, Mr. Patrick Dillon and Mr. Peter Peterson. Special thanks go to Peter Peterson, who retired from the Board in 1996 after serving six and one half years. We welcome aboard Laurel Wilson, who joins the Commissioners as a Government of Canada appointee.

In summary, 1996 can be best described as "business as usual" on the Hamilton waterfront. Significant progress was made on a number of projects that, given proper guidance, should come into fruition in 1997. We look forward to the challenge.



D. M. Beattie
Chairman



R. R. Hennessy
Port Director

BALANCE SHEET

As at December 31, 1996

	1996 $	1995 $
ASSETS		
Current Assets		
Cash	621,617	235,893
Accounts receivable -		
Trade	974,255	1,170,362
Interest	36,855	451,154
Other	106,360	171,455
Inventories	147,559	112,109
Prepaid expenses	149,839	–
Deferred harbour dredging expenses	287,674	127,572
Current portion of investment in Capital Lease (Note 3)	77,160	72,665
	2,401,319	2,341,210
Net investment in Capital Lease (Note 3)	616,659	695,912
Investments Appropriated for Future Harbour Improvements (Note 4)	13,548,973	10,399,956
Fixed Assets (Note 5)	55,273,335	56,084,568
	71,840,286	69,521,646
LIABILITIES		
Current Liabilities		
Accounts payable and accrued liabilities	1,216,273	1,095,169
Current portion of debentures payable (Note 6)	50,000	50,000
	1,266,273	1,145,169
Debentures Payable (Note 6)	125,000	175,000
	1,391,273	1,320,169
EQUITY		
General Capital	56,900,040	57,801,521
Reserve for Future Harbour Improvements (Note 4)	13,548,973	10,399,956
	70,449,013	68,201,477
	71,840,286	69,521,646

STATEMENT OF GENERAL CAPITAL

For the Year Ended December 31, 1996

	1996 $	1995 $
General Capital - Beginning of Year	57,801,521	54,536,898
Excess of revenue over expenses for the year	2,247,536	2,515,317
	60,049,057	57,052,215
Allocation (to) from reserve for future harbour improvements (Note 4)	(3,149,017)	749,306
General Capital - End of Year	56,900,040	57,801,521

STATEMENT OF REVENUE AND EXPENSE

For the Year Ended December 31, 1996

	1996 $	1995 $
Revenue from Operations	10,273,313	9,712,981
Operating Expenses	4,115,648	3,827,670
Income from Operations	6,157,665	5,885,311
Administrative, Office and General Expenses	2,351,535	2,394,048
Interest on Debentures Payable	8,766	10,545
Depreciation	2,261,991	1,960,435
Financing Income from Capital Leases	(43,847)	(47,770)
Other Income	(668,316)	(947,264)
Excess of Revenue Over Expenses for the Year	2,247,536	2,515,317

AUDITORS' REPORT TO THE COMMISSIONERS

We have audited the balance sheet of The Hamilton Harbour Commissioners as at December 31, 1996 and the statements of revenue and expenses, general capital and changes in financial position for the year then ended. These financial statements are the responsibility of the corporation's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the corporation as at December 31, 1996 and the results of its operations and the changes in its financial position for the year then ended in accordance with generally accepted accounting principles.

Further, in our opinion, the transactions of the Corporation that have come to our notice during our examination of the financial statements have, in all material respects, been in accordance with Section 29 of "The Hamilton Harbour Commissioners' Act".

Hamilton, Ontario
March 14, 1997

Coopers & Lybrand
Chartered Accountants

STATEMENT IN CHANGES IN FINANCIAL POSITION

For the Year Ended December 31, 1996

	1996 $	1995 $
OPERATING ACTIVITIES		
Excess of revenue over expenses for the year	2,247,536	2,515,317
Items not affecting cash -		
Depreciation	2,261,991	1,960,435
Gain on disposal of fixed assets	(20,074)	(3,005)
Deferred harbour dredging expenses	(287,674)	-
	4,201,779	4,472,747
Decrease in non-cash working capital items related to operations	738,888	59,506
CASH PROVIDED BY OPERATING ACTIVITIES	4,940,667	4,532,253
INVESTING ACTIVITIES		
Purchase of fixed assets	(1,475,843)	(5,516,935)
Proceeds on disposal of fixed assets	45,159	3,005
(Increase) decrease in investments appropriated for future harbour improvements	(3,149,017)	749,306
Decrease in net investment in Capital Lease	74,758	53,983
CASH USED IN INVESTING ACTIVITIES	(4,504,943)	(4,710,641)
FINANCING ACTIVITIES		
Repayment of debentures payable	(50,000)	(50,000)
Decrease in long-term debt	-	(76,358)
CASH USED IN FINANCING ACTIVITIES	(50,000)	(126,358)
NET INCREASE (DECREASE) IN CASH	385,724	(304,746)
CASH - BEGINNING OF YEAR	235,893	540,639
CASH - END OF YEAR	621,617	235,893

NOTES TO FINANCIAL STATEMENTS

For the Year Ended December 31, 1996

1 THE HAMILTON HARBOUR COMMISSIONERS' ACT

The Hamilton Harbour Commisisioners ("the Commissioners") is a corporation established and operated pursuant to The Hamilton Commissioners Act, 2 George V c.98, 1912. The Commissioners mandate is to govern and develop the harbour of Hamilton for the purposes of the Act and to provide a harbour with full facilities for the transportation industry.

2. SIGNIFICANT ACCOUNTING POLICIES

(a) **Fixed assets**

Fixed assets are recorded at acquisition cost. Depreciation is provided on a straight-line basis at rates designated to amortize the cost over the useful lives of the assets as follows:

Docks and improvements	2 - 20%
Buildings	2-1/2 - 20%
Equipment and vessels	10 - 20%

(b) **Capital development in process**

The Commissioners include all costs to develop an asset in the capital development in process category until the project is substantially complete. At that time, the asset is transferred to fixed assets and depreciation is taken according to established policy.

(c) **Inventories**

Inventories of merchandise are recorded at the lower of cost, determined on a first-in, first-out basis and replacement cost.

(d) **Deferred harbour dredging expenses**

Deferred harbour dredging expenses relate to the maintenance of the harbour channels. Total estimated cost for the project is $1,200,000 and this is being amortized over three years. The current year's expense is $400,000.

3. CAPITAL LEASE

In 1994, the Commissioners acquired certain crane equipment and entered into a five year direct financing lease.

Financing income related to the direct financing lease is recognized in a manner that produces a constant rate of return on the investment in the lease. The investment in the lease for purposes of income recognition is composed of net minimum lease payments and unearned financing income.

The net investment in the lease includes the following:

Total minimum lease payments receivable:

1997	117,000
1998	117,000
1999	548,603
	782,603
Unearned income	(88,784)
	693,819
Current Portion	(77,160)
	616,659

4. RESERVE FOR FUTURE HARBOUR IMPROVEMENTS

During the year, the Commissioners transferred $3,149,017 to the reserve (1995 - $749,306 from the reserve) for future harbour improvements. The total balance in the reserve, amounting to $13,548,973 (1995 - $10,399,956), is set aside for future capital expenditures. The reserve funds are invested in short-term deposits.

In 1996, the Commissioners approved a five year capital budget in the aggregate amount of $32,070,000 (1995 -$30,010,000).

5. FIXED ASSETS

	Cost $	Accumulated Depreciation $	1996 Net $	1995 Net $
Land	17,870,533	-	17,870,533	17,870,533
Docks and harbour improvements	38,184,716	17,576,079	20,608,637	21,357,263
Buildings	17,137,619	9,893,623	7,243,996	7,853,417
Equipment and vessels	7,624,376	5,741,122	1,883,254	1,365,553
Capital development in progress	7,666,915	-	7,666,915	7,637,802
	88,484,159	33,210,824	55,273,335	56,084,568

6. DEBENTURES PAYABLE

	1996 $	1995 $
4 1/8% Government of Canada debentures payable, to be repaid before the year 2005	175,000	225,000
Less: Current portion	50,000	50,000
	125,000	175,000

7. PENSION PLANS

The corporation has non-contributory defined benefit pension plans for salaried employees and C.U.P.E. Local 958 members. Pension costs are computed on the projected benefit method based on an average expected remaining service life of the employee groups of 16 years for salaried employees and 19 years for C.U.P.E. Local 958 members.

The status of the plans, based on year end estimates provided by the corporation's actuary, are as follows:

	Salaried Employee Plan $	C.U.P.E. Employee Plan $
Pension fund assets - at market value	5,356,991	419,249
Projected benefit obligation	4,488,625	311,167

The excess of pension fund assets over the projected benefit obligation of the plans is expected to be utilized to fund current service contributions and/or enhance future pension benefits.

8. COMPARATIVE FIGURES

Certain comparative figures on the balance sheet have been restated to give effect to current year's presentation.

CITY OF HAMILTON

- INFORMATION -

8.

DATE: 1997 October 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. Kevin Beattie
Grants Co-ordinator

SUBJECT: Outstanding 1997 Capital Grant Requests

BACKGROUND:

At the September 23, 1997 meeting of the Finance and Administration Committee meeting, the 1997 Capital Grant requests were tabled pending a more detailed package of background material on the individual requests.

Appendix A attached, summarizes the requests and locates relevant background material. This material is based on the original submissions and updated where indicated.

Funding for any of these 1997 Capital Grants would have to be financed from the Reserve for Capital Projects, noting that in 1997, there was $341,426 returned to this reserve as a result of closing out of various Capital Projects.

D K Beattie

c.c. Mayor R.M. Morrow
Grants Process Group

The Corporation of the City of Hamilton
1997 CAPITAL GRANT SUBMISSIONS (updated to October 2, 1997)

Appendix A

Item No. (1)	Page No. (2)	Name of the Organization (3)	Recomm (4)	Request (5)	1996 Grant (6)	% of Bud (7)	Financial Statements (8)	Comments (9)
1	i to ix	Hamilton Filipino Community Centre *– to be used in the restoration of the building*		$40,000	$12,500	40.0%	favourable F/S	– capital grant request
2	x to xiv	Hamilton Jewish Home for the Aged, Shalom Villa *– to reimburse Shalom for development charges and to purchase stoves and fridges*		$14,920				– first time application – rec'd $12,050 from Region for dev. chges + $21,390 for Social Service
3	xv to xvii	Hamilton Victoria Curling Club *– to offset cost of repairs and replacement of equipment*		$9,990	$5,000	23.7%		– request to the Region denied
4	xviii to xxiv	H.O. Model Engineers Society, Inc. (H.O.M.E.S.) *– to offset costs involved in relocating and lost revenue*		$9,000		66%		– first time applicant – relocated 128 Hwy 8, Stoney Creek
5	xxv to xxviii	Lakeland Community Centre *– renovations to building (roof & wall)*		$45,000		100%		– first time applicant – capital grant request
6	xxix	Ontario Emergency Helicopter Committee *– conversion of Twin–Huey helicopter for emergency services*		$50,000		33.3%	No F/S	– first time applicant – No Action taken by the Region
7		Portuguese Community Centre *– continuation of funding program from previous years*		$25,000	$12,500		No F/S	– rec'd $12,500 1995
8	xxx to xxxvi	The YWCA of Hamilton *– to repair exterior brick veneer*		$60,000	$50,000	100%*		* represents 100% of exterior brick work, planned further renovations to interior of building
9	xxxvii to xxxviii	The English–Speaking Union of Canada *– relocate operations in Hamilton*		$5,000			No F/S	
		TOTALS	$0	$258,910	$80,000			

1997 February 1

City of Hamilton

1997 GENERAL GRANT SUMMARY FORM

APPLICANT: HAMILTON FILIPINO COMMUNITY CENTRE	
Grant Type Capital	
Grant Request: $40,000.00	Operating Budget:
Area of Service (#4) Local	Request as % of Budget 40.0 %

Organization Structure/Objectives:
To raise funds for acquisition of a building to house the educational, cultural, spiritual and social needs of all Filipino Canadians living in Hamilton and suburbs.

Participation Profile (5.1) Paid Members 400 (5.2) Subscribers (5.3) Volunteers 100
(5.4) Avg. Vol. Hrs. 30 (5.5) Avg. Audience 400-500 (5.6) Annual Tot. Aud. 4,000-5,000

Purpose of Requested Funds:
To be used in the restoration of the building. Specifically to improve outside walls of the structure by putting brick, steel and aluminum siding.

Other Funding Sources: No	Previous City Funding: Yes
From Where: Conditional:	1996 - $12,500.00 (Capital)
	1995 - $12,500.00 (Capital)

PROJECTIONS	Self-Supporting

Consequence of no funding:
1. There will be a delay in restoration of the building that will result in the inability to increase rent of the place.
2. There will be delay in implementing the programs that will lead to yearly request for financial assistance from all levels of government.

Estimated Request 1998 - $40,000.00 1999 - $50,000.00 2000 -

Financial Statements/Comments:
Financial Statements indicate a favourable position

Additional Comments:

(i)

Hamilton Filipino Community Centre
1275 King St. East, Hamilton, Ontario
L8M 1G8 Tel. 544-3350

March 13, 1997

City of Hamilton
Treasury Department
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Mr. D. Kevin Beattie
Grants Co-Ordinator

This is to acknowledge your letter dated March 3, 1997. It is our pleasure to make this written presentation on behalf of our organization.

Ladies and Gentlemen, The Committee of the Whole.

We, the Filipinos of greater City of Hamilton thank the City and "The Committee of the Whole" for giving us the $12,500.00 grant last year which is to complete the $25,000.00 we requested two years ago. This amount was put to good use, we had our parking lot paved.

The first step of our beautification program has had an instant impact in the neighbourhood. Our next door neighbour, Mr. & Mrs. John Eastwood of 21 Belmont Ave. made a comment, I quote, *"the best thing that had happened to this place is when you guys took over".*

Let me give you a brief background of our community. The first wave of Filipinos came to this City in the early sixties and later joined by their family members through our immigration family unification program. Most of them are professionals that contributed productively to the growth of our ambitious City. As expected, 30 years later, first and second generations' Filipino Canadians started to emerge as a silent minority group in the City of Hamilton. In our last estimate, there are approximately 5000 to 5500 Filipino Canadians living in the City of Hamilton and surrounding towns.

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ii

Hamilton Filipino Community Centre

Three years ago, on October 14, 1993, the Hamilton Filipino Community Members bought an old warehouse situated at 1275 King St. E., to become the Hamilton Filipino Community Centre. We are confident that it will be the place where we can preserve our bonding and at the same time offer and provide assistance to the residents of the neighbourhood through proposed programs such as, day care, counselling, fitness activities for seniors and sports activities for the young and the old. The building over the years has been used as a warehouse and it needs extensive restoration and renovation before we can put it to use.

The amount of our request is $40,000.00.

It will be used for the restoration/renovation of the building. Specifically to reface the outside walls with steel siding.

The City will benefit tremendously from this organization in many ways. The restoration or renovation of the old warehouse at 1275 King St. E. the present location of our Community Centre will enhance the outlook of the neighbourhood. For the last few years this has been a vacant building and turning to be a neighbourhood sore spot. We would like to continue the trend McDonald Restaurant had started few years ago to revitalize the neighbourhood. Pizza-Pizza had moved in also that added to an active life in the area. The funeral home (Truscott Brothers) next lot, over the years has kept the premises clean and decent. There are numerous apartment buildings and small businesses within few hundred feet around the area. We are optimistic once we have beautified our property which represent a large part of this core neighbourhood, we will see a big improvement and business growth in the area. It will boost the local economy because our proposed programs will bring people in from other parts of the City, Region or Province. It will help to curb or prevent crimes in the neighbourhood by setting up programs that will benefit the residents of the surrounding area.

We have been trying to raise funds for the last few years now. Our biggest source of fund at this time is our Bingo every other week at one of the Bingo Halls in the City. We have had walkathon, bazaar, raffles and membership campaign with little success. Our plan is to continue the activities mentioned above. The City of Hamilton is the first level of government we have approached so far and it is our intention to approach the Provincial and Federal government in the near future.

In the event that funding is not granted or funding will be reduced, it will push the restoration and renovation project few years back. Our plan is to put the building in a decent shape so that we may attract renters which will help us toward self sufficiency.

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iii

Hamilton Filipino Community Centre

The present financial situation of the Hamilton Filipino Community Centre is still in the "black" as long as we stay away from big projects. We will be able to keep the building for at least a year before we get into difficult financial situation. Our members are good citizens, hardworking and they believe and support all of our Community projects, however, it will be more easier and meaningful for us if you can extend the assistance we have requested.

Ladies and Gentlemen, thank you very much for the opportunity to submit this written presentation.

For the Hamilton Filipino Community
Yours truly,

D. Nuesca

Domingo Nuesca
President

HAMILTON FILIPINO COMMUNITY CENTRE

FIVE YEAR FINANCIAL PLAN

Background: The Hamilton Filipino Community Centre purchased the building situated on 1275 King St. E., in Hamilton on October 14, 1993. It is an old building that needs extensive restoration and renovation.

Objective: To restore and renovate the building to suit the needs of the Hamilton Filipino Community Centre.
To be financially self sufficient in 5 years time.

Year	PROJECTED INCOME	PROJECTED EXPENSES
1995	Membership fees - $ 3,000.00 Fund raising ----- $ 5,000.00 Donations ------- $10,000.00 Rentals --------- $10,000.00 Bingo ---------- $20,000.00 City grant ------ $25,000.00 Total ---------- $68,000.00	Property taxes - $16,500.00 Heat ---------- $ 2,000.00 Hydro ---------- $ 4,000.00 Telephone ------ $ 900.00 Insurance ------ $ 1,400.00 Maintenance ---- $ 2,000.00 Administration - $ 1,000.00 Renovation ----- $45,000.00 Total $72,800.00
1996	Membership fees - $ 3,000.00 Fund raising ----- $ 7,000.00 Donations ------- $10,000.00 Rentals --------- $10,000.00 Bingo ---------- $20,000.00 Grant ------ $25,000.00 Total ---------- $75,000.00	Property taxes - $16,500.00 Heat ---------- $ 3,000.00 Hydro ---------- $ 4,000.00 Telephone ------ $ 900.00 Insurance ------ $ 1,400.00 Maintenance ---- $ 1,000.00 Administration - $ 1,000.00 Renovation --- $22,000.00 Parking lot paving $25,000.00 Total $74,800.00
1997	Membership fees - $ 3,000.00 Fund raising ---- $ 7,000.00 Donations ------- $ 7,000.00 Rentals --------- $10,000.00 Bingo ---------- $20,000.00 Grant ------ $20,000.00 Total ---------- $67,000.00	Property taxes - $16,500.00 Heat ---------- $ 3,000.00 Hydro ---------- $ 4,000.00 Telephone ------ $ 900.00 Insurance ------ $ 1,500.00 Maintenance ---- $ 1,000.00 Administration - $ 1,000.00 Reroofing -------- $40,000.00 Total $67,900.00

1998	Membership fees - $ 3,000.00 Fund raising $ 7,000.00 Donations ------- $ 7,000.00 Rentals --------- $10,000.00 Bingo ---------- $20,000.00 Grant ------ $20,000.00 Total ---------- $67,000.00	Property taxes - $16,500.00 Heat ---------- $ 3,000.00 Hydro ---------- $ 4,000.00 Telephone ------ $ 900.00 Insurance ------ $ 1,500.00 Maintenance ---- $ 1,000.00 Administration - $ 1,000.00 Renovation 2nd flr. $40,000.00 Total $67,900.00
1999	Membership fees - $ 8,000.00 Fund raising $ 7,000.00 Rentals --------- $15,000.00 Total ---------- $30,000.00	Property taxes - $16,500.00 Heat ---------- $ 4,000.00 Hydro ---------- $ 4,000.00 Telephone ------ $ 900.00 Insurance ------ $ 1,500.00 Maintenance ---- $ 1,000.00 Administration - $ 1,000.00 Total $28,900.00

HAMILTON FILIPINO COMMUNITY CENTRE

BACKGROUND:

The influx of Filipinos in Hamilton and Suburbs started the early nineteen sixties when a handful of Philippine nurses whose student visas in United States expired and decided to stop by Canada for a few months or years before proceeding back home to the Philippines. Many of these transient professionals who settled in Hamilton found the place and the overall environmental living condition very conducive to bring up families. After the nurses there came other health care professionals such as laboratory technologist, social workers, dietitians, and medical doctors. Other professionals like engineers, chemists, teachers and others followed later when the good words about Canada reached the island of the Philippines. The filipino settlers slowly but surely by processes of proliferation and family unification program through immigration policies after thirty years has made an impact in the local population in term of number. The most recent survey indicates there are three thousand to three thousand five hundred Filipino Canadians living in Hamilton and its suburbs of Burlington, Dundas, Ancaster, Caledonia and Stoney Creek. The population age distributions are as follows: 60 years old and over are parents of the new settlers; 25 years to 50 years old are the first settlers and from one year old to 23 years old are siblings of the settlers.

MAIN OBJECTIVE OF THE APPLICATION AS A CHARITABLE ORGANIZATION:

To raise funds for acquisition of a building to house the educational, cultural, spiritual and social needs of all Filipino Canadians living in Hamilton and suburbs.

PROPOSED PROGRAMS OF THE HAMILTON FILIPINO COMMUNITY CENTRE.

I. ADULT PROGRAMS: Target groups are young adults and high schoolers.

1. EDUCATIONAL

A. Pilipino school
Purpose:

a. To teach Tagalog to new immigrants that originated from non-tagalog speaking regions of the Philippines.
b. To teach English as a second or third language to new immigrants.

B. Philippine library. Collection of Filipino books, magazines, journals, news letters etc.

2. CULTURAL

A. Filipino songs and music
B. Filipino folk dances
C. Filipino arts and drama
D. Filipino cooking

3. PHYSICAL FITNESS AND SPORTS FOR MALE AND FEMALE 16 YEARS OLD AND OVER

A. Organized basketball
B. Organized volleyball
C. Organized tennis
D. Organized golf
E. Organized chess
F. Organized martial arts and self defense
G. Organized aerobic classes and exercises

II. PROGRAMS FOR SENIOR MEMBERS

A. Physical fitness
   a. Organized stretching and walking exercises
   b. Assortments of different sports and games such as bowling, chess, card, mahjongg etc.....

B. Cultural
   a. Dance, music and drama
   b. Cooking and sewing
   c. Arts

C. Educational
   a. Health teachings and seminars
   b. English as a second or third language

D. Spiritual
   a. Bible studies
   b. Lent "PABASA" re-enactment of Jesus Christ death on the cross
   c. Other religious services traditionally celebrated in the Philippines

III. CHILDREN PROGRAMS

A. Heritage language school through affiliation with Roman Catholic Separate School Board

B. Child care facility

C. Exercise and fitness program
   a. Organized camping trips
   b. Organized fishing trips
   c. Organized basketball
   d. Organized floor hockey
   e. Organized soccer
   f. Organized volleyball
   g. Organized baseball

D. Cultural
   a. Dance and music
   b. Arts and drama

IV. OTHER PROGRAMS

A. Counselling and support groups
B. New immigrant assistance
C. Resource centre for the government agencies, students and other ethnic groups.

Submitted:

Mr. Boanerjes T. Villabroza
President
Hamilton Filipino Community Centre

ix

1997 February 1

City of Hamilton

1997 GENERAL GRANT SUMMARY FORM

APPLICANT: SHALOM VILLAGE	
Grant Type Capital	
Grant Request: $14,919.97	Operating Budget: $
Area of Service (#4) Local	Request as % of Budget

Organization Structure/Objectives:
To provide housing and support services for elderly persons on a non-denominational basis, in order that they may remain independent longer in their own home. To retard the development of disability and functional impairment whilst improving or restoring the quality of life, within the traditions of Judaism.

Participation Profile	(5.1) Paid Members 44	(5.2) Subscribers 20	(5.3) Volunteers 135
	(5.4) Avg. Vol. Hrs. 15,000	(5.5) Avg. Audience	(5.6) Annual Tot. Aud.

Purpose of Requested Funds:
Due to extremely long waiting list for our Supportive Housing, Shalom Village is extending its existing 40 unit apartment building by an additional eleven units. These are being constructed with charitable donations. There is no Provincial or Federal money available.

The requested amount of $4,919.97 is to reimburse Shalom for the development charges imposed by the City, which have already been paid. Shalom was assessed at the same rate as for profit, commercial rent properties. The requested amount of $10,000.00 is to assist in purchasing necessary stoves and fridges for the new units.

A construction cost schedule, "Appendix A", and a borrowing and repayment plan schedule "Appendix B" have been submitted.

Other Funding Sources: Yes	Previous City Funding: No
From Where: Conditional: No	
Have also applied to the Region-tabled	
PROJECTIONS	Self-Supporting

Consequence of no funding:
It will mean taking on additional debt.

Estimated Request 1998 - 1999 - 2000 -

Financial Statements/Comments:

Additional Comments:
Non-compliance with Grant Policy, does not meet general criteria.

x

SHALOM VILLAGE

"David and Ida Leon Bukaen"

60 MACKLIN STREET NORTH, HAMILTON, ONTARIO L8S 3S1
Telephone (905) 529-1613 Fax (905) 529-7542

HONORARY PRESIDENTS
Marvin Goldblatt
Mrs. Frances Soble Harnick
Frank Levy
Mrs. Samuel Smurlick
Leon Price
Dr. Ronald Kaplan

PAST PRESIDENTS
Benjamin B. Shekter, Q.C.
Ruth Goldberg

PRESIDENT
Leslie Lasky

PRESIDENT - ELECT/SECRETARY
Bert Phillips

CABINET
Joshua Bach
Dr. Irwin Feuerstein
Howard Katz
Dr. Bonnie Loewith
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BOARD MEMBERS
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Rochelle Waxman
Arthur Weisz
David Wright
Irving Zucker

RABBINATE
Rabbi Irwin Zeplowitz
Rabbi Morton Green
Rabbi Israel N. Silverman

EXECUTIVE DIRECTOR
Sheila Burman

ADMINISTRATOR/DIRECTOR
OF RESIDENT CARE
Patricia Morden, B.Sc.N., M.Ed.

December 12, 1996

Mr. D. Kevin Beattie,
Grants Co-ordinator,
Treasury Dept.,
City Hall,
71 Main St. W.,
Hamilton, Ont.
L8N 3T4

Dear Mr. Beattie,

Enclosed is a General Grant Application made on behalf of the Hamilton Jewish Home for the Aged, Shalom Village.

We are requesting that the City consider refunding $4,919.97 in development charges made on our extension of 11 Supportive Housing units and a contribution of $10,000 towards the purchase of appliances for these units.

Included in the attachments and supporting documentation is our audited financial statement for our fiscal year ended December 31, 1995.

Thank you for your consideration.

Yours sincerely,

Patricia Morden
Executive Director

xi

SHALOM VILLAGE

70 MACKLIN STREET NORTH, HAMILTON, ONTARIO L8S 3S1
Telephone: (905) 528-5377 Fax: (905) 529-7542

HONORARY PRESIDENTS
Marvin Goldblatt
Mrs. Frances Soble Harnick
Frank Levy
Mrs. Samuel Smurlick
Benjamin B. Shekter, Q.C.
Ruth Goldberg

FOUNDING EXECUTIVE DIRECTOR
Sheila Burman

PAST PRESIDENTS
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Ludwig Benario*
Lewis S. Ross, Q.C.
Dr. J.J. Shekter*
Morley Goldblatt*
Dr. Ronald Kaplan
Leon Price

PRESIDENT
Leslie Lasky

PRESIDENT-ELECT/SECRETARY
Carl Loewith

CABINET
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Dr. Irwin Feuerstein
Howard Katz
Larry Rosenberg

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Alex Kepecs
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Marty Strub
Chester Waxman
Gary Waxman
Rochelle Waxman
Arthur Weisz
David Wright
Irving Zucker

RESIDENT REPRESENTATIVES
Sid Bell
Celia Kessler

RABBINATE
Rabbi Gary Karlin
Rabbi Morton Green
Rabbi Irwin Zeplowitz

EXECUTIVE DIRECTOR
Patricia Morden

*deceased

March 19, 1997

Mr. D. Kevin Beattie,
Grants Co-ordinator,
City of Hamilton, Treasury Department,
71 Main Street West,
Hamilton, Ontario.
L8N 3T4

Re: Shalom Village Grant Application: Written Presentation for City Council - Committee of the Whole Consideration

Dear Mr. Beattie:

Please find attached additional information to support the Grant Application made by Shalom Village for our Community Outreach Program.

Sincerely,

Patricia Morden,
Executive Director.

Leslie Lasky,
President.

SHALOM VILLAGE COMMUNITY OUTREACH PROGRAM - GRANT APPLICATION

Supporting Information for Consideration by
Committee of the Whole (as requested)

I. This letter confirms the request by Shalom Village for $21,000.00 to support our Outreach Program.

II. Purpose of the Requested Funds: These funds, supplemented by a client fee and our fundraising efforts, will ensure the continuation of our Community Outreach Program. This program involves:

1. One day per week for frail seniors to come to Shalom and participate in a social/recreational event. Transportation and a hot meal are provided.

2. Volunteer visitors who connect with isolated or frail community dwelling seniors to provide stimulation/companionship/encouragement. The volunteer visitor may also accompany individuals to the day program.

3. An opportunity for seniors identified as at risk in the community to have their health/social needs assessed and referral made as necessary and appropriate to community health resources.

4. Flexible program that accommodates to the needs/abilities of cognitively impaired community dwelling elderly persons. Outreach can provide respite for caregivers as well as social interaction for these individuals.

5. A weekly opportunity for elderly members of the Jewish community to maintain community contacts and to have services provided that respect their language, religion and traditions.

6. Outreach staff also provide liaison with other community agencies to provide the information they need to best meet these needs of our multicultural client group.

7. For seniors with spouses in Shalom Village Nursing Home, attending outreach provides an opportunity for them to receive the necessary support and socializing thus facilitating their ability to continue in the caregiver role.

The ability of the Shalom Outreach program to continue to meet the growing needs in the community is dependent upon the Grant from the City of Hamilton.

iii. The Benefits of our Organization to the City of Hamilton: Shalom Village has been providing quality, accessible services to Hamilton seniors for over 20 years. A not for profit organization, responsible to a community Board of Directors, Shalom Village offers:

- Supportive Housing
- Long Term Care
- Kosher Meals on Wheels in collaboration with the Hamilton-Wentworth VON
- Caregiver relief through a respite care program
- Outreach Day Programs and volunteer visiting for community dwelling frail seniors.

Each program has demonstrated accountability in service provision and financial management meeting or exceeding all established regulations and standards. All aspects of our operation are responsive to our clients' needs and expectations as demonstrated by an on-going quality management program. All programs at Shalom have extensive waiting lists.

Shalom Village provides unique, culturally specific services to the Jewish Community, not available from any other community agency. All programs at Shalom Village are accessible to the Hamilton Community, and many participants as well as those on our waiting list are non Jewish.

Shalom Village Outreach Program, provides access to the resources of Shalom Village, for seniors in the community. The goals of this program are focused on enhancing these frail elderly persons independence and quality of life. Volunteer Visitors are also part of this program, providing community contact for those individuals who find getting out difficult. Volunteer visitors also provide a link with the Outreach Program and a familiar face for clients new to the program. Funding from the City is essential to maintain this program.

iv. Other Sources of Funds: Similar to all programs and services provided at Shalom Village the Outreach Program is supported by our fundraising efforts and clients' fees. Reduced funding from the City would require reducing significantly the mandate and services of the Outreach Program.

vi. Audit is just being completed for 1996. This will be forwarded as soon as it is received at Shalom Village.

1997 February 1

City of Hamilton

1997 GENERAL GRANT SUMMARY FORM

APPLICANT: HAMILTON VICTORIA CURLING CLUB	
Grant Type Capital	
Grant Request: $9,990.00	Operating Budget: $129,990.00
Area of Service (#4) Local	Request as % of Budget ~~7.7%~~ 23.7%

Organization Structure/Objectives:
To provide the social and sport aspects of the great game of curling. We have attempted to keep membership costs reasonable so that our services can be available and affordable to a large percentage of our population.

Participation Profile	(5.1) Paid Members 204	(5.2) Subscribers	(5.3) Volunteers 50
	(5.4) Avg. Vol. Hrs. 1,500	(5.5) Avg. Audience 25-50	(5.6) Annual Tot. Aud. 5,000

Purpose of Requested Funds:
A worn out 40 H.P. Motor rewound from 25 cycle to 60 cycle has to be replaced including the starter panel. TOTAL COST will be approx. $10,000. A structural inspection to prove conformity to provincial legislation will cost $3,500.. Repairs to ice making equipment by Cimco refrigeration will amount to some $4,000. West wall tile drainage has been repaired at a cost of about $2,000. Replacement of worn out locker room carpet $500-$600. Spot lights to improve inadequate parking lot lighting $700.

Other Funding Sources: No	Previous City Funding: Yes
From Where: Conditional: No	1996 $5,000.00 (Capital Grant)
	1995 - $9,900.00 (Capital Grant)
PROJECTIONS	Self-Supporting

Consequence of no funding:
We would be in danger of having to cease operations unless temporary funding can be available to cover the high cost of building and machinery repairs. Our financial mortgage position precludes any more borrowing on our assets.

Estimated Request 1998 - $9,990.00	1999 - $9,990.00	2000 - $9,990.00

Financial Statements/Comments:
Financial Statements indicate a substantial accumulated deficit

Additional Comments:

CITY OF HAMILTON
TREASURY DEPT
ATTENTION: KEVIN BEATTIE
GRANTS CO-ORDINATOR

i. We confirm the amount of grant requested at just under $10,000, namely $9,990.

ii. Purpose of the request: to cover a portion of expenses occurring during the last year beyond normal maintenance expectations

a)Burn out of converted motor from 25 cycle to 60 cycle -	$8,371.30
b)Worn out starter panel	$2,000.00
c)Flange and pipe connections	$ 800.00
d)Provincial government inspection of structural components of curling rink by Parker Consultants	$2792.97
e)Cimco refrigeration repairs	$3993.15
f)Tile drainage repair	$1,900.00
g)Loss on World Curling Club events	$3,000.00
Total cost beyond normal	**$22,257.42**

iii. We provide excellent recreation for all ages of citizens. Our Youth Program including challenged youth is bursting at the seams. The energy spent and enthusiasm has a marked effect in reducing violence and bad behaviour. As the only curling club within the core of the city we provide recreation activity where it is badly needed. We must stay operational to take care of the surge to relaxed recreation in the coming century.

iv. a)Sponsorship: A concerted effort is being made to extend our portfolio from very minimal to a much wider base

b)Membership: A pay as you play plan is being introduced to more fully use available ice time. WE will concentrate on shift workers for daytime events, weekend memberships and summer activities. We close our doors from May to September,except for scheduled activities. Activities such as bingo,casinos,soft ball tournaments, golf tournaments etc, are being considered for incoming revenue for the summer months.

c) Advertising in the rink: We intend to greatly increase these efforts

v. Facing the expense as noted in section (ii). We foresee major expenses such as:

NEW ROOF	$2,000
PARKING LOT REPAIRS	26,000+
Paint $500 ICE SCRAPER	
CEILING CURTAIN	13,000+
Pargeting Building $600 HEATERS	
~~DEHUMIDIFIER~~	

We will be hard pressed to find sufficient funds in time to avoid collapse of the club.

vi. The size of our expenses in the fall of 1996 used up any monies set aside for such unforseen circumstances. We expect expenses and revenues until the end of our fiscal year April 30th 1997 to almost balance each other. Therefore the financial position is expected to be the same as it is at present with a mere $10,000 in our current account. We shall need some $5,000 per month to cover expenses until the start of curling in October. We are thus short about $15,000. Your grant of $9,990 would balance the books as there is some revenue during the shut down months.

Your financial help is appreciated but in addition the realization by many volunteer that some one else cared, thus increasing their efforts and enthusiasm.

Frank McGurk

1997 February 1

City of Hamilton

1997 GENERAL GRANT SUMMARY FORM

APPLICANT: H.O. MODEL ENGINEERS SOCIETY, INC. (H.O.M.E.S.)	
Grant Type Capital $5,000.00, Specific Purpose $4,000.00	
Grant Request: $9,000.00	Operating Budget:
Area of Service (#4) Regional	Request as % of Budget

Organization Structure/Objectives:
To construct, maintain and operate a permanent HO scale model railway for public display.
To promote great co-operation between model railroaders.
To advance and promote the hobby of model railroading wherever and whenever possible.
To promote the preservation of railway artifacts and railway related artifacts that the corporation feels to be of historic nature; and to acquire such artifacts for the purpose of establishing a permanent display of railroadiana.
To promote an understanding and appreciation by the general public of railroading, railway history, and its impact on our daily lives.

Participation Profile	(5.1) Paid Members 20	(5.2) Subscribers 10	(5.3) Volunteers
	(5.4) Avg. Vol. Hrs. 5,000+	(5.5) Avg. Audience 600	(5.6) Annual Tot. Aud. 3,000

Purpose of Requested Funds:
Assistance is requested to cover loss of permanent structure which cannot be moved intact from old location, a capital loss to the Society of almost $35,000 in material and thousands of man-hours labour. Assistance is also requested to cover lost revenue from Public Shows which cannot be held until the layout is at least partially rebuilt. Relocations costs include renovation of new quarters to a condition and appearance suitable for public access and comparable to improvements made at our previous location.
1) One time special-purpose Grant to cover relocation and renovation costs.
2) A Capital Grant to cover materials required for the first stages of the new layout, normally paid for by our Public Shows.
3) Short term need for future Operating Grants until Public Shows can be held.

Other Funding Sources: No	Previous City Funding: No
From Where: Conditional: No	

PROJECTIONS	Self-Supporting

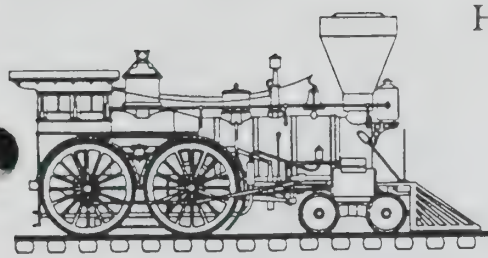
Consequence of no funding:
Reconstruction of the layout will depend solely on membership dues, which are normally used to cover general operating costs with the surplus devoted to construction. We were rent-free until 1995. Loss of Public Show revenue and probable high rental costs will delay re-opening the layout to the public for at least 6 years. Since public shows account for almost 35% of our revenue, it is a vicious circle: no show = no revenue = no construction = no show. If accommodation costs are too high, it is likely the Society would have to abandon reconstruction of the layout and dissolve.

Estimated Request 1998 - $3,000.00	1999 - $2,000.00	2000 - $1,200.00

Financial Statements/Comments:

xviii

Additional Comments:
First time application - relocated to Stoney Creek



H.O. Model Engineers Society, Inc.

HAMILTON, ONTARIO

Founded 1948

Operating the Bay City Railway

Bay City Rwy

-01- 0 6 1997

THE H.O. MODEL ENGINEERS' SOCIETY

The H.O. Model Engineer's Society has existed in Hamilton since 1948, and in that time has developed a reputation as one of Canada's premier model railway organizations. Apart from its stated objective "to advance and promote the recreational hobby of model railroading", the Society has rendered significant services to the Hamilton Community. Its H.O. scale railway layout (one of Canada's best) is open free to the general public on the monthly operating nights. It encourages frequent visits, also free, from Scouts, cubs and other youth organizations as well as from school groups. These youngsters are introduced not only to a possible future hobby but also to the idea of how railways really operate as a part of the economy of both Canada and Hamilton — a special feature of the layout is its emphasis on the steel industry and the way in which the railways move its raw materials and finished products. The Society has also attracted numerous groups of model railroaders from other parts of Canada and the United States. In 1998, the Society's fiftieth anniversary, it will be sponsoring an international Model Railroad Convention, bringing hundreds of fellow-hobbyists to the Hamilton area.

During its more than forty-eight years as a Hamilton institution, the Society has gone quietly about its business, paying its way and balancing its books, and not once asking for assistance from the city - or anyone else. Why then are we now requesting a grant? Because we have encountered an unexpected disaster, over which we had no control. Our home for the past seventeen years, the Delta Bingo Hall, is to be re-converted into a supermarket and we will have to vacate by the end of February. This will mean demolishing the entire layout and starting again. We will be able to save many of the model structures and perhaps some of the lumber, but all the scenery and virtually all the trackwork and supporting benchwork will become just so much garbage. We expect soon to find a new location for our operation, providing the necessary 3000 sq. ft. of space, but do not have the funds either to prepare a "new" building for occupancy or to even begin the gargantuan task of rebuilding the layout. Our grant request thus breaks down into three parts:

(1) a one-time, specific-purpose grant to cover moving expenses and the cost of adapting the new facility to the point where it is usable;

(2) a one-time capital grant for the cost of the lumber, hardware and other materials required to erect partitions and to build the first stage of the new benchwork. (This is for the cost of materials only - all labour will be supplied by our members);

(3) A small operating grant for a limited time to cover the period (perhaps 4 years) before the development of the layout will make it possible to resume our annual Open House, which generates up to one-third of our revenue.

What has the Society done to help itself before coming to the city for help? Several things:

(1) a vigorous recruiting campaign which has gained us several new members;

(2) the planning of a final four-day Open House between Christmas and New Year to generate some last-minute revenue; and

(3) the making of a high-quality, 45-minute videotape of the Society's layout for potential sale to other model railroaders.

These efforts will undoubtedly generate some funds, but unfortunately not nearly enough to cover the large costs of re-locating and building anew. Serious consideration has been given to increasing membership dues (currently $240 per year), but it was apparent that any significant increase would inevitably result in a loss of membership that would offset any gain in revenue, while depleting the Society's human resources — its most valuable asset.

The purpose of our grant request, then, is to get the Society back on its feet — back to being the sturdy, self-sufficient Hamilton institution it has been for half a century. We have a vigorous and dedicated membership who can do the job with a little bit of help.

PRESENTATION TO:

GRANT REVIEW COMMITTEE
COMMITTEE OF THE WHOLE
COUNCIL OF THE CITY OF HAMILTON

BY:

H.O. MODEL ENGINEERS SOCIETY, Inc.
HAMILTON

AMOUNT OF REQUEST AND PURPOSE OF REQUESTED FUNDS

Assistance is requested to cover loss of permanent structure and relocation expenses resulting from the Society being forced to vacate its current location, in the amount of **$5,000**. Relocation costs include renovation of new quarters to a condition and appearance suitable for public access and comparable to improvements made at our previous location. Assistance is also requested to cover lost revenue from Public Shows which cannot be held until the layout is at least partially rebuilt, in the amount of **$4,000**. Therefore the total grant requested for 1997 is **$9,000**.

The Society's primary reason for existence is the construction of a **museum quality** scale model railroad based on the Hamilton area, built to much higher standards than those normally found in the hobby. The Society is creating an accurate scale model, not a toy train set. The track, equipment, functions and operations of a real railway are reproduced in miniature in exacting detail. Building the layout to our high standards is very expensive. An unusual aspect of our finances is that as construction proceeds, costs increase considerably. Detailing a very small area to diorama standards can be as costly as construction of a full-size room. A single building can easily run to hundreds of dollars. The previous layout represented an investment of over 70,000 man hours and at least $90,000 over a 17 year period. The layout's sheer size made moving it impossible, and eviction represented a capital loss to the Society of at least $35,000 in material alone.

The Society's second reason for existence is to provide an example to the public of what can be accomplished in the hobby and to impart some of the history of railroading in the Hamilton area. Many of the scenes and structures are miniature hand crafted replicas of actual sites and buildings along Hamilton's railroads, most of which now exist only as our models. Besides our annual Open House, which is a fund-raising showcase, the layout was regularly open for free public viewing, normally during monthly operating sessions.

BENEFITS OF ORGANIZATION TO CITY

The H.O. Model Engineers Society is a model railway club which has existed in the Hamilton community since **1948**. The Society is a registered non-profit corporation. There are usually about two dozen active members as well as a number of associate members. While the

membership over the last 50 years has changed, it is not unusual for someone to be involved for 10, 20, or even 30 years with the club, and there are currently 8 members with 20 years. The membership has tended to be quite stable. The members represent a cross-section of the community including steelworkers, teachers, a doctor, a farmer, a planner, students and many other backgrounds. Modelling expertise is not a requirement, since one of the Society's objectives is to introduce people to the hobby and help teach the associated skills.

The Society has constructed a number of layouts since founding, but has only worked on two over the last 36 years. From 1961 to 1979 a 112 m^2 layout was built in the basement of Booth's Hobbies on Concession St., followed by the 1980 move to the 205 m^2 site in the basement of the Delta Bingo Hall. With this layout 85% complete the Bingo Hall is being returned to the original owners. Demolition of the layout and clubrooms has been completed, and all salvageable material is in storage.

H.O.M.E.S. has been a continuously active institution in the community for almost 50 years. The model railway is built not just for our own pleasure, but as a giant work of art for the public to enjoy and appreciate. We have attracted numerous visiting groups from outside Hamilton specifically to view the railway. We recently entertained visitors from England and Germany. Many youth groups (Cubs, Beavers) and student groups regularly visit as well. We have sponsored three conventions in the City, and were preparing for a fourth in 1998 for our 50th Anniversary. Each year hundreds of people from far and wide attend our Public Open House. We have been featured in the international model press, and were scheduled for another feature article in the near future. Many persons seeking information on local railway history have been directed to us. We feel that we have put Hamilton on the map as much as Stelco and the Tiger-Cats. Almost 3,000 people attended our special Christmas Open House, with minimal notice.

Please see the "Public Timetable No. 3" and the plan of the previous layout.

OTHER FUNDING

This is the first time the Society has sought external funding. The Society is currently discussing obtaining charitable status with Revenue Canada. Our options for additional fund raising are otherwise very limited.

IMPLICATIONS OF REDUCED OR NO FUNDING

The club's financial resources do not permit the payment of commercial leasing rates. In both of our previous sites we were fortunate to find corporate sponsors who waived the rent in exchange for payment of our share of utilities, and we did not pay any rent until 1995.

Without the grant, reconstruction of the layout will depend solely on membership dues, which are normally used to cover general operating costs with the surplus devoted to construction. Loss of Public Show revenue and probable high rental costs will delay re-opening the layout to the public for at least 6 years. Since public shows account for almost 35% of our revenue, it is a

vicious circle: *no show = no revenue = no construction = no show*. If accommodation costs are too high, it is likely the Society would have to abandon reconstruction of the layout and dissolve.

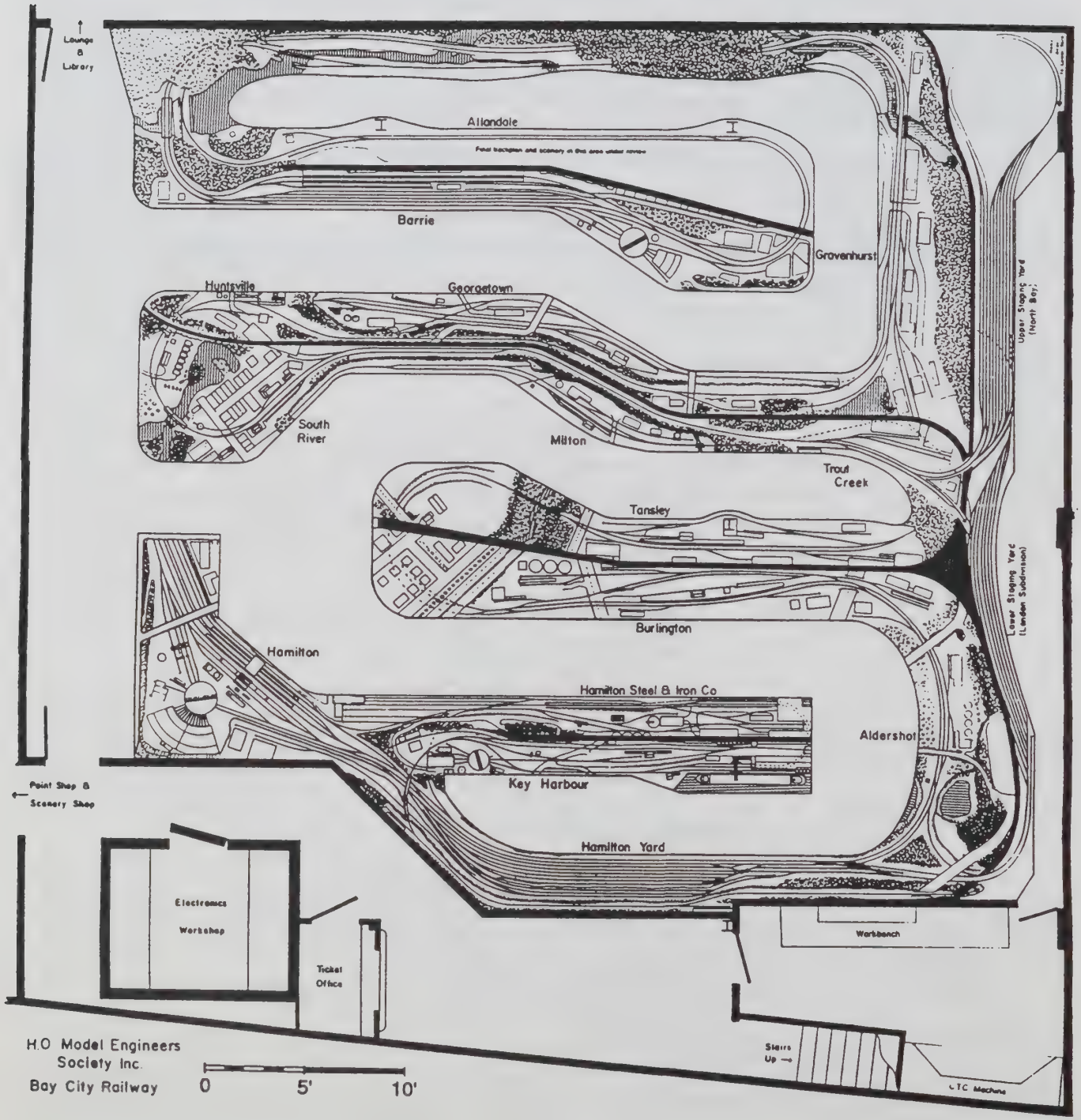
CURRENT FINANCIAL POSITION

Regular membership dues are $20 per month, recently raised 33% to cover a new rent charge. The dues fund all of the construction costs for the layout as well as any overhead costs such as rent. Members must also provide locomotives and cars, which can amount to hundreds of dollars. The club's normal cash flow on an annual basis from dues is usually less than $5,000.00. The annual Open House raises approximately $2000 which is allocated to one time capital projects.

The Society's financial state as of June 1996 (end of fiscal year) was a cash and bank balance of $6,811. During later 1996 over $4,000 was spent on specialized electrical and detailing materials to begin the final stages of completion of the layout. The special "Last Run" open house held during the Christmas holidays netted $7,000. Thus the Society's cash and bank assets as of March 1 is $8,031. A copy of the February Treasurer's report is shown below.

February 1997 Financial Report

Petty Cash			
	Brought Forward:	100.08	
	Dues collected:	244.00	
	Sales:	32.00	
	Misc Receipts:	0.28	
	Sub Total:	376.36	
	Bank Deposits:	0.28	
	Paid Out:	129.08	
	End of Month Balance:	247.00	247.00
Bank Accounts			
	Brought Forward:	8607.80	
	Deposits:	0.28	
	Cheques issued:	273.98	
	Balance:	8334.10	8334.10
Less:	Accounts Payable Hydro 1996-97:	550.00	550.00
Net:			8031.10


Lounge & Library
Allandale
Barrie
Gravenhurst
Huntsville
Georgetown
South River
Milton
Trout Creek
Tansley
Burlington
Hamilton
Hamilton Steel & Iron Co
Aldershot
Key Harbour
Hamilton Yard
Upper Staging Yard (North Bay)
Lower Staging Yard (London Subdivision)
Paint Shop & Scenery Shop
Electronics Workshop
Ticket Office
Workbench
Stairs Up
CTC Machine
H.O Model Engineers Society Inc.
Bay City Railway
0
5'
10'

1997 February 1

City of Hamilton

1997 GENERAL GRANT SUMMARY FORM

APPLICANT: LAKELAND COMMUNITY CENTRE

Grant Type Capital

Grant Request: ~~$100,000.00~~ 45,000	Operating Budget: $
Area of Service (#4) Regional	Request as % of Budget 100.

Organization Structure/Objectives:
- To promote recreation programs for children, teens, adults and seniors.
- See attached programs.
- Programs cover Beach Strip-Woodward area, Stoney Creek, Smithville and Hamilton East.

Participation Profile (5.1) Paid Members 52	(5.2) Subscribers 52	(5.3) Volunteers 53
(5.4) Avg. Vol. Hrs. 4,472 hrs.	(5.5) Avg. Audience 120	(5.6) Annual Tot. Aud. 2,515

Purpose of Requested Funds:
Purpose: Renovations - Roof & Wall
This is very important to the building, to keep all programs and special events operational. As there is no community centre in the bottom east of Hamilton.

Other Funding Sources: No	Previous City Funding: No
From Where: Conditional: No	

PROJECTIONS	Self-Supporting

Consequence of no funding:
Community Centre will not operate to the fullest potential for the need of the community at large.

Estimated Request 1998 - $10,000.00	1999 - $10,000.00	2000 -

Financial Statements/Comments:

Additional Comments:
First time applicant

xxv

LAKELAND COMMUNITY CENTRE
180 VAN WAGNER'S BEACH ROAD
HAMILTON, ONTARIO
L8E 7S5
(905) 547-6999

MARCH 18, 1997

MR. D. Kevin Beattie
Grants Co-Ordinator
Treasury Department
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Re: 1997 General Grant Application

Lakeland Community Centre has applied for a grant in the amount of one hundred thousand dollars. ($100,000.00) for the purpose of repairs and renovations to the building.

We desperately need a new roof as well as upgrades to the washrooms. Two of the washrooms need to be made wheelchair accessible. The main hall where most of our activities and programs are held also needs upgrades and renovations to bring it up to our standards.

As we are the only Community Centre in this area we provide a place for the community to hold activities as well as a meeting place for both the young and old.

In the future we plan to do fund raising on our own. We will be having a garage sale, dances, Bar-B-Que, Bingo (East Hamilton Optimist), hall rentals. We already have money coming in from the Bingo which goes to the day to day operations of the building. We also have our membership fees and programming fees which go to help offset the cost of programs. We are looking to see what other grants we qualify for as we will be applying for them.

Failure to qualify for the full grant will result in a postponement of all renovations until the money can be raised elsewhere. A reduced grant will result in the most pressing renovations and repairs being done in a speedy manner. By not having all the renovations and repairs done could result in some cancellations of programs that are held in the main hall and reduced participation in other programs.

As of now we are open six days of the week, Monday to Thursday from 12:00 noon to 9:00 p.m., Friday from 12:00 noon to 5:30 p.m. and Saturday from 9:00 a.m. to 4:00 p.m. During this time we have ten programs running with the plans to

implement more in the future. The Community Centre is available for rentals on a first come first served basis.

If you need more information please do not hesitate to contact me at the above address or phone number.

Thank you for your consideration in this matter.

Sincerely Yours

Patricia Berkhold

Patricia Berkhold
Lakeland Community Centre

LAKELAND COMMUNITY CENTRE
180 Van Wagner's Beach Road
Hamilton, Ontario
L8E 7S5
(905) 547-6999

BALANCE SHEET
as of 28 February 1997

ETS

Cash on Hand			375.07
Cash in Bank			2,431.83
Prepaid Expenses:			391.47
	Yearly Lease	83.26	
	Security System	106.71	
	Pest Control	107.00	
	Insurance	94.50	
Equipment			4,536.75
	Tables & chairs	3,156.75	
	Fridge & Freezer	1,380.00	
Donated Equipment			19,300.00
	Toys	750.00	
	Sports Equipment	500.00	
	Ceramic Kilns	2,400.00	
	Chest Freezer	400.00	
	Stoves	250.00	
	Weight Equipment	15,000.00	
Leasehold Improvements			
	Optimist Room		25,511.02
TOTAL ASSETS			52,546.14

Revised

cial Notes:
Value of donated equipment was estimated

INCOME STATEMENT
4 April 1996 to 28 February 1997

RECEIPTS			
Donations			
	East Hamilton Optimists	61,159.80	
	Donated Assets	19,300.00	
Vending Machine Receipts		282.00	
Hall Rentals (net of retd deposits)		1,041.00	
Memberships for Programs		370.86	
Receipts from Sale of Coffee		55.00	
Receipts from Programming		606.00	
TOTAL RECEIPTS			82,814.66
EXPENSES			
Office Supplies		513.01	
Building Repairs		7,979.24	
Property Taxes		8,846.04	
Utilities		6,532.79	
	Telephone 1,470.29		
	Hydro 3,156.42		
	Heat 1,822.22		
	Water 83.86		
Bank Charges		202.80	
Rent		916.74	
Insurance		1,039.50	
Pest Control		535.00	
Coffee Machine		583.94	
Rentals		173.08	
Advertising		460.00	
Security System		149.45	
Miscellaneous		1,144.00	
Programming		1,171.00	
Fund Raising (raffle licence)		22.00	
TOTAL EXPENSES			30,268.59
NET RECEIPTS			52,546.07

From: Robert J. and Judith M. Smith To: Mayor, Bob Morrow Date:

JUL - 4 1997



CODE BLUE

ONTARIO EMERGENCY HELICOPTER COMMITTEE
255 West Ave. N., Hamilton, Ontario, L8L 5C8
Phone: (905) 527-6649 Fax: (905) 544-6795

Date : 03/07/97

Time : 09:48:26

Pages : 1

To: Bob Morrow, Mayor

Company : City of Hamilton

Fax Number : 546-3915

To Kevin Beattie

Dear Sir:

We understand that you have received a copy of the letter dated June 19, 1997 forwarded by Mr. Stan Keyes, with enclosures. In view of the urgency regarding an application for a gift of the Twin-Huey helicopter, we are seeking commitments of funding for the conversion of this unit. The commitment would be requested only if the helicopter was donated to us.

We are seeking a commitment from the City of Hamilton in the amount of $50,000.00 and from the Region in the amount of $100,000.00. Please process this request as soon as possible and advise.

Many thanks.

Sincerely

R.J. Smith, Treasurer, Past Chair.

xxix

1997 February 1

City of Hamilton

1997 GENERAL GRANT SUMMARY FORM

APPLICANT: THE HAMILTON Y.W.C.A.	
Grant Type Capital	
Grant Request: **$60,000.00**	Operating Budget: $
Area of Service (#4) Local	Request as % of Budget

Organization Structure/Objectives:
Vision - The Hamilton YWCA makes a positive difference in the lives of all women and their families.
Mission - The Hamilton YWCA is a voluntary women's membership organization providing high quality programs and services that respond to community needs, working actively for the development and improved status of women and their families and for responsible social and economic changes that will achieve peace, justice, freedom and equality in Canada and around the world.

Participation Profile	(5.1) Paid Members 2,052	(5.2) Subscribers	(5.3) Volunteers 188
	(5.4) Avg. Vol. Hrs. 12,697	(5.5) Avg. Audience	(5.6) Annual Tot. Aud.177,530

Purpose of Requested Funds:
The MacNab YWCA building has severe water retention in the exterior brick veneer. This can be seen in the discoloration in the brick itself and efflorescent staining and masonary breakdown, i.e., brick face popping off, masonary jointing, deterioration, column parging peeling off. The area most affected in the exterior surrounding the swimming pool due to the extreme moisture on the inside. The exterior damage is a direct result of little or no air transfer between the interior and exterior walls. The repairs required would create a system for air transfer and the release of condensation build-up while ensuring no water penetration from the exterior to the pool enclosure. As well, an engineering consultant needs to be enlisted to review the structural damage. The moisture build-up has also caused damage to the exit/entrance doors and surrounds require replacement. Moisture is making its way to the interior of the Women's Residence around the windows. Assessment and repairs need to be completed. New window hardware is required where moisture has caused damage to opening/closing mechanisms along the Hunter St. auditorium area.

Other Funding Sources: No	Previous City Funding: Yes
From Where: Conditional:	1996 - **$50,000.00** (Capital Grant)
	1994 - **$20,000.00 (Senior's Centre)**
PROJECTIONS	Self-Supporting

Consequence of no funding:
Failute to rectify this moisture probelm will only lead to further exterior damage and escalating the cost of repairs in the future.

Estimated Request 1998 - 1999 - 2000 -

Financial Statements/Comments:

Additional Comments:
Recreation funds Seniors programs offered through the Y.W.C.A.

XXX

YWCA of Hamilton

Towards a Second Century of Service

Head Office
75 MacNab South
Hamilton, Ontario
L8P 3C1
(905) 525-9922
Fax (905) 522-1870

MacNab Branch
75 MacNab South
Hamilton, Ontario
L8P 3C1
(905) 522-9922
Fax (905) 522-1870

Ottawa Branch
52 Ottawa North
Hamilton, Ontario
L8H 3Y7
(905) 545-9922
Fax (905) 545-7470

Post-it™ FAX TRANSMITTAL MEMO 7671 | 3 NO OF PAGES

TO: Kevin Beattie	FROM: Nancy Robins
CO.:	CO.:
DEPT.:	PHONE #:
FAX #: 546-2449	FAX #: 522-1870

March 18, 1997

Grants Co-Ordinator
Treasury Department
City of Hamilton
71 Main Street, West
Hamilton, ON L8N 3T4

Attention: Kevin Beattie re: 1997 General Grant Application

The MacNab Street Branch of The Hamilton YWCA confirms our 1997 General Grant request for $60,000.

The purpose of the requested funds is to repair damage to the exterior surround of the MacNab building including brick veneer, masonry, caulking, windows and doors due to severe water retention. This damage can be seen in the discolouration of the brick and efflorescent staining and masonry breakdown i.e. brick facing popping off, masonary jointing, deterioration, column parging peeling off. The building is most vulnerable due to the extreme moisture on the inside of the structure caused by the humidity of the swimming pool.

The exterior damage that is present is a direct result of little or no air transfer between the interior and exterior walls which allows for moisture build-up thus causing the visual damage. Failure to rectify this problem will only lead to further exterior damage and escalating the cost of repairs.

The repairs required would provide a system that would allow for air transfer between the interior and exterior walls, releasing condensation build-up while ensuring no water penetration from the exterior of the pool enclosure.

The extent of the repair would include all three elevations of the pool enclosure and also the exposed brick wall which separates the pool from the gymnasium. An engineering analysis of the stress cracking at the opposite ends of the pool is required as is an air flow study to improve air flow which would dissipate moisture at a faster rate.

The scope of the proposed repairs would include:

- removal and replacement of deteriorated brick, approximately 500 units
- removal and replacement of all deteriorated masonry joints, approximately 200 square feet
- removal and replacement of all deteriorated parging i.e. colums, approximately 160 square feet
- installation of a weeping system (air transfer) 124 units to be placed at top and bottom of brick panels
- caulk all brick and column perimeters, also window on Jackson Street
- powerwash all surfaces removing discolouration and efflorescent staining, etc.
- treat exterior masonry surfaces to stop future water penetration with a breathable salve
- drill into the vertical masonry joints at approximately every 2 feet, install vent-type weepers into the openings
- where a vented cavity wall is required to provide air circulation, vent both below the top course and again at the bottom course in a similar manner

xxxi

- cutting, cleaning and repair with new mortar of deteriorated joints
- removal of affected areas to receive new caulking; and where backing material is missing from joints to be sealed, new polyethylene rope shall be installed
- removal of decayed bricks, application of mortar and installation of new bricks
- where bricks have been removed, the ties, anchors and shelf angles will be inspected
- application of a flood-coat of Chemtrete BSM 40 as a water repellant to veneer; and,
- removal of existing damaged door/window units; installation of new door/window units.

The Hamilton YWCA has been an active community partner for 107 years and continues to play a vital role in the improvement of the health and wellness of Hamiltonians. The **vision of the YWCA to make a positive difference in the lives of women and their families enriches our community** beyond measure. Through our programs and services, babies, preschoolers, children, youth, adults and seniors of all cultures, abilities and financial status find a friendly place to meet together, develop new skills, further their training and employment opportunities, find shelter and food to meet their survival needs, join together as community groups, entrust the care and nuturing of their children to our early childhood educators, develop leadership skills which enrich and strengthen our community over a broad span of time, entrust the care of their developmentally handicapped adult children to our community service and group home workers, and so much more. Such a range of benefits to the community is difficult to replace. Without the Hamilton YWCA, many of the marginalized in our community would be homeless, without hope and equal opportunity to better their lives.

The Hamilton YWCA is not a place but rather a meeting together of people in a sense of community, representative of our community. But without safe and secure buildings, the range of opportunities available to our community would be greatly diminished. In particular, the MacNab Branch facility serves over 5,000 members annually plus hundreds of drop-ins and community groups of all ages and abilities. Life in the downtown core is certainly enriched by this branch facility and its programs and services.

The Hamilton YWCA continuously conducts **fundraising events** to further our service to the community. Our Second Century Capital Campaign (1990-95) raised approximately 4 million dollars much of which was used to restore the interiors on our buildings as well as much needed expansion for child care and administration. An additional $500,000 was generated through fundraising from 1996 to the present time which again was used to repair roofing and other health and safety concerns of our facilities.

In addition to capital fundraising, the Hamilton YWCA conducts an annual Pick-A-Trip Lottery and participates in the selling of Nevada tickets, the proceeds of each designated to the **reduction of accumulated deficits.**

Other government funding sources for this type of capital restoration have been investigated without success. Where applicable, the association avails itself of any funding opportunities. For example, $20,000 was acquired from the provincial government in 1994/95 to improve the accessibility of the MacNab branch public and senior centre washrooms.

The diligent work of volunteers and staff committed to the service of the YWCA is admirable. Although fund generation is much more difficult in this present era of restraint, the YWCA is committed to continuing our fundraising efforts as we prepare to serve the downtown core in the next century. However, we do need the financial assistance and support of vital community partners like the City of

xxxii

Hamilton to bolster our efforts to provide a safe and secure facility in which to conduct our many programs and services.

Should the City of Hamilton not support this proposal, the cost of repair will escalate as time passes as our volunteers organize and conduct the miriad of special events required to raise $60,000. The estimated cost of repair has already increased by more than $3,000 since our first quote as the moisture continues to erode the surround.

As the end of our fiscal year draws closer, we are anticipating a **close to break even financial position** as a result of many efforts of staff and volunteers. United Way funding has been reduced by approximately $100,000 within the past few years. Branch staff work schedules have been reduced from 37.5 to 35 hours per week. Weekly bingo funds continue to be designated to operations. The pain of downsizing has been felt by many of our staff. And yet no program or service has been cut or reduced for our members and users in our community. In fact, within the last year, we are forecasting that the number of women receiving subsidy in order to live in our Women's Residence will have increased from a few thousand to over $23,000. Yes, the Hamilton YWCA significantly contributes to the health and wellness of the Hamilton community.

I appreciate the opportunity to present our cause and proposal to you, and thank you in advance for your serious consideration.

Sincerely,

Nancy Robins-Romanenko
Branch Director
MacNab Street Branch of the Hamilton YWCA

xxx iii

SCOPE OF WORK:

A. Remove and replace deteriorated brick, approx. 500 units. (Note: Additional units would be $10.00 per brick.)

B. Remove and replace all deteriorated masonry joints, approx. 200 sq. ft.

C. Remove and replace all deteriorated parging, i.e. columns. approx. 160 sq. ft.

D. Install weeping system (air transfer) 124 units to be placed at top and bottom of brick panels.

E. Caulk all brick and column perimeters also window on Jackson Street.

F. Powerwash all surfaces within this scope of work removing discolouration, efflorescent staining, etc.

G. Treat exterior masonry surfaces to stop future water penetration with a breathable salve such as BSM 20.

WEEPERS

1. Drill 1/2" holes on approximately 24" centres at a 45 degree angle into the face of the floor slabs in order to penetrate the cavity between the exterior masonry and the interior walls.

2. Holes shall be drilled utilizing Hilti concrete drills.

3. All holes shall be blown free and then plastic bleeders shall be installed. Bleeders shall be caulked in place where necessary, using a clear silicone.

4. Weepers shall be left to extend 3/4" from the finished masonry surface.

TUCKPOINTING

1. All joints deteriorated beyond 1/4" shall be cut out to a minimum depth of 1/2" or until solid mortar is reached.

2. Cutting shall be executed using grinding wheels or mechanical chisels in such a manner so as not to chip, spall or disturb the surrounding masonry.

3. The joints shall then be flushed clean using water under sufficient pressure to completely remove dust and loose particles.

4. Mortar for replacement shall consist of one part portland cement and 2 1/2 parts silica sand to which will be added hydrated lime not to exceed 10% of the cement by weight.

5. All joints shall be struck to match the existing as closely as possible.

6. Where requested, the mortar shall be tinted to match the surrounding as closely as possible.

7. Any bricks that have been dislodged or loosened as a result of grinding or cutting shall be re-laid in a full bed of mortar.

CAULKING

1. Cut out traces of existing caulking from all voids and surfaces to prepare for application of new material.

2. Caulk using Tremco caulking material as per manufacturer's recommendations.

3. Caulking will be done using a hand-held caulking gun to form a heavy bead which will engage the frame and the masonry for a minimal distance of 1/2" from their junction.

4. The surface of the bead will then be tooled to a smooth finish and sure bond.

BRICK REPLACEMENT

1. All bricks spalled or decayed beyond a depth of 3/8" or more will be cut out to their full depth.

2. Cutting shall be performed using approved masonry blades to ensure no damage to surrounding units.

3. All masonry shall be laid true and plumb with their surroundings on a full bed of mortar.

4. All work shall be performed in a systematic fashion so as to maintain the structural stability of the wall.

5. Replacement units shall be approved by the Owner or Representative before commencement of any work.

6. Where bricks have been removed, the ties, anchors and anchor bolts on shelf angles shall be inspected and reported to the Owner or representative before replacement of any units.

XXXU

7. If no faults are found, the above shall be tightened or augmented as may be required to satisfy the National requirements.

8. Mortar joints will be struck to match the surrounding masonry as closely as possible.

WATER REPELLANT

1. Ensure veneer or surface is prepared to Manufacturer's specifications prior to application of material.

2. Upon completion of remedial repairs to veneer, apply a flood-coat of Chemtrete BSM-40 (or alternate equivalent if substrate is not compatible with this product, i.e. Chemtrete; products vary with the type of surface it is being applied to).

3. The application shall have a six inch "bleed" upon application to assure permeation of the surface.

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

MAYOR'S OFFICE

MEMORANDUM

****

Date: July 14, 1997

To: Kevin Beattie

From: Mayor Bob Morrow

****

Would you put this on our list for considération.

RMM/sp

xxxvii

City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone (905) 546-2790
Fax (905) 546-3165 TDD (905) 546-2448

HAMILTON
150TH BIRTHDAY
1996

JUL - 3 1997

(16)

The English-Speaking Union of Canada

NATIONAL OFFICE

P. O. Box 43517
Lower James Postal Outlet
Hamilton, Ontario L8P 4V0

L-see me
memo to [illegible]

June 27, 1997

His Honour the Mayor Robert Morrow
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3P4

Dear Sir:

Thank you for attending oru recent Annual Meeting Banquet held at the Sheraton Hamilton Hotel and for your kind words of encouragement at our Banquet.

We are sending this letter to request a grant from the City of $5000 to help defray those moving expenses and establish our operations in Hamilton.

Your financial assistance in this endeavour would be gratefully received.

Yours sincerely,

Bing Kelley

Bing Kelley, President
ES-U of Canada

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: Analysis of Soil Samples from City of Hamilton Park Site

RECOMMENDATION:

a) That the actions of the Chief Administrative Officer be approved in arranging for the Ministry of Environment and Energy to conduct the analysis on sixteen soil samples collected from public parks areas for the presence of PAH (Polycyclic Aromatic Hydrocarbons) at a cost of $5,600.

b) That the Treasurer recommend the method of financing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The analysis work will cost $5,600 and there was no provision made in either the capital nor the operating budgets for this work.

Because we know the PAH's are present through an earlier soil sample, it is important to determine how extensive the PAH's are through the public parkland to determine what appropriate action is required to clean up the area.

The costs for the clean up of this area similarly is not budgeted.

BACKGROUND:

Previously in response to a brief from Mayor Morrow, City Council at its meeting on Tuesday, August 12, 1997 authorized payment for an amount of up to $2,500 for the analysis of soil samples taken from the City owned properties in the Simcoe Street East area.

DISCUSSION:

After the fire at the Plastimet Warehouse the Ministry of Environment and Energy conducted tests on the soil, water, air and vegetation around the site on private and public properties to determine if there were contaminates and if so what kind of contaminates and at what levels.

The testing verified that the soil on the property adjacent to 209 Simcoe Street East showed high levels of PAH's - Polycyclic Aromatic Hydrocarbons. When this was known, the attached letter from Mayor Morrow was distributed to the neighbours in the immediate area of the known contaminates and the City staff erected a snow fence around the two properties owned by the Corporation.

An additional sixteen soil samples were taken to determine the extent and the level of contamination to determine the most appropriate way of cleaning up the sites.

Initially because the MOEE laboratories were fully employed undertaking the analysis of the other soil samples being taken, including those on private properties, the City contracted out this work to a local laboratory. However, the MOEE and the MOH staff are questioning the results and analysis prepared by the local laboratory because there is no correlation between the local laboratories analysis and the analysis being conducted by the MOEE.

Therefore, it was necessary to redo the analysis on the sixteen soil samples. The lack of correlation and necessity to redo the analysis also explains the time delay in being able to deliver the results to the Council and to the public.

Also to avoid any more problems with correlating to the MOEE results, it was concluded that the MOEE be asked to undertake the analysis of the sixteen soil samples.

Attached is their letter confirming that their work will cost $5,600.

JGP:dd

Attach.

c.c. D. Lobo, Commissioner of Public Works & Traffic
Dr. Marilyn L. James, Medical Officer of Health and
Commissioner of Health Services
H. Wong, Regional Director
Ministry of Environment and Energy
119 King Street West, 12th Flr
Hamilton ON L8N 3Z9

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

1997 August 01

Dear Resident

Re: Polycyclic Aromatic Hydrocarbons and Health

You have possibly noticed the fencing on Simcoe Street East just west of the tracks by Wellington Street. As part of the Ministry's efforts to check on the environmental impacts of the recent Plastimet fire, a sample of soil and vegetation was taken at this location which is owned by the City of Hamilton.

Compounds have been detected to be at a higher level than the clean up guideline for residential/parkland properties and for this reason, snow fencing has been erected as a precaution.

The level at this site is not expected to pose a human health risk, as exposure to the soils at the site is expected to be small and it is not related to the fire at the Plastimet Warehouse. The contaminate is related to the previous use of the property.

During the week of August 05, 1997 the Ministry of Environment and Energy will be re-sampling this site and several adjacent properties to more fully detail the degree and extent of polycyclic aromatic hydrocarbons contamination.

Attached is a Fact Sheet outlining what polycyclic aromatic hydrocarbons are and temporary health precautions for your information.

It is suggested that children not play on the site or immediately adjacent yards until the testing is complete. We will keep you posted.

Yours truly,

Robert Morrow

Robert M. Morrow
Mayor
City of Hamilton

JGP:dd
Attach.

City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone (905) 546-2790
Fax (905) 546-3165 TDD (905) 546-2448

HAMILTON-WENTWORTH REGIONAL PUBLIC HEALTH DEPARTMENT

Environmental Health Branch
25 Main Street West
2nd Floor
Hamilton, Ontario
L8P 1H1

Tel. (905) 546-3570
Fax: (905) 546-2787

Mailing Address:
P.O. Box [redacted]
Hamilton, Ont[redacted]
L8N 3P6

FACT SHEET

POLYCYCLIC AROMATIC HYDROCARBONS AND HEALTH

This fact sheet has been prepared for residents in the neighbourhood adjacent to the property known as 209 Simcoe Street East, Hamilton, where soil tests show high level of PAHs. More soil tests will be taken to determine the extent of this contamination in this area.

What are Polycyclic Aromatic Hydrocarbons?

PAHs are a group of chemicals formed during burning of fuel, garbage, and other living-source materials like wood, tobacco or meat. They are also found in coal tar, coal tar pitch, roofing tar, car exhaust, creosote (wood preservative and insecticide), smoke from forest or agricultural fires, and cigarette smoke. PAHs are widely present in our environment, especially in cities and near smelters, petroleum plants and coking plants. Most PAHs stick to particles of dust or soil. They don't dissolve easily in water. Over time, sunlight and bacteria in the soil will break down PAHs.

PAHs have been linked to skin rashes and to cancer of the lung, stomach, and skin in people who worked with large amounts of PAHs for many years. Some studies show that mice who are fed very high levels have difficulty having babies, but it is not clear whether this happens in humans. Some animals also develop a decreased ability to fight infections when exposed to high levels for a long time; this has not been seen in people.

Temporary Health precautions

Until we know more about the extent of soil contamination and health risks, we are advising the following precautions to reduce the risk of you and your family coming into contact with PAHs.

The most likely way for PAHs in the soil to get into your body are through:

- the soil getting on your skin during gardening, children playing in the dirt, etc.
- breathing in dry soil or dust
- eating it, that is soil getting into your mouth from your hands, food, cigarettes, cups, etc.

Outdoors:

- use gloves and something to kneel on if you garden
- avoid digging in very dry soil, as this can raise a lot of dust you might breathe in
- don't let children play in the dirt; on the grass is OK if your lawn doesn't have bare patches
- be especially careful with very young children who might put dirt or leaves in their mouths
- after working or playing in the garden wash thoroughly with soap, and shampoo hair if dusty
- don't eat vegetables grown in your garden

Indoors:

PAHs can come inside on dust and dirt particles, so good housekeeping is important. Very young children play on the floor and put things in their mouths a lot, so these points are especially important for young families.

- leave outdoors shoes and boots at the door
- keep the dust down by frequently vacuuming and damp-dusting
- to be extra safe, you can use gloves when dusting and wash dustcloths frequently

Handwashing:

- be sure to wash your hands with soap to get rid of any soil or dust before eating, preparing food, smoking or handling anything else which might go in your mouth
- make sure children wash their hands too

Other ways to reduce PAHs:

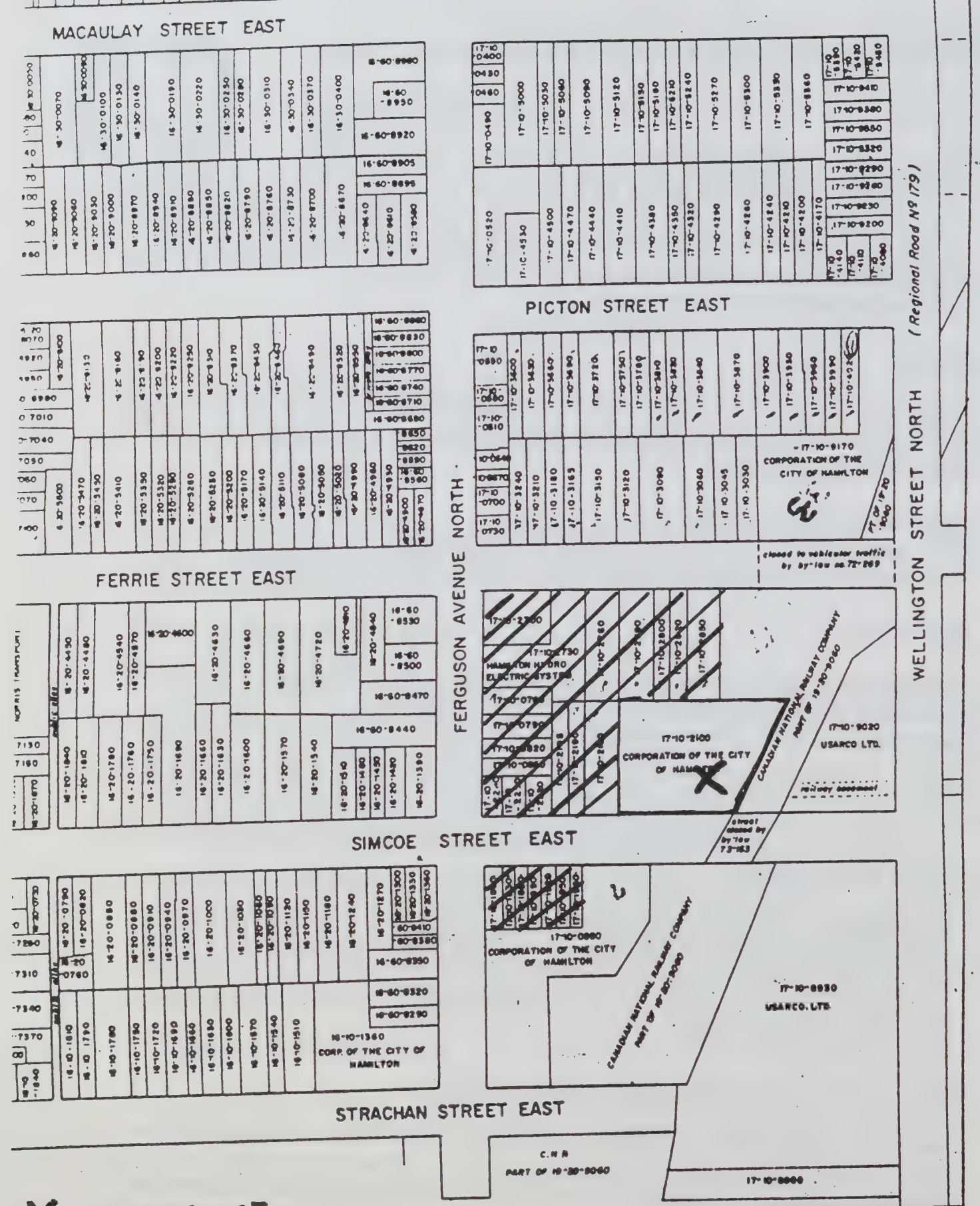
You can decrease the amount of PAHs around you and your family even more if you avoid these common sources of PAHs:

- grilled/barbequed, smoked or charred foods
- smoking cigarettes, pipes or cigars; second hand smoke also has high levels of PAHs
- burning wood, coal or garbage
- car exhaust; avoid idling cars or trucks, particularly inside garages, and when possible don't walk ot play near heavy traffic

Is there a test to show if I have been exposed to PAHs?

There are some experimental tests which can show PAHs in the body, but they are only used in medical research. These tests can't show whether any health problems will happen, how long the PAHs have been in the body, or where they came from. While there is no need to see your doctor about PAHs if you are feeling well, people who are worried they might have a health problem from PAHs should tell their doctor about the high PAH levels in the soil.

If you have any questions, please call 546-3570.



X LOCATION OF CONTAMINATED SAMPLE

RESIDENCES TO WHICH LETTER WAS DELIVERED

CITY OF HAMILTON

ASSESSMENT MAP SHEET Nº 79

SCALE: 1:2000	PLAN:	CON/SEC: BAR, B.F & ONF	LOT: 13 to 16
DRAWN BY: T. M	TRACED BY:	CHECKED BY:	DATE: APRIL 1985.

Ministry of
Environment
and Energy

119 King St W
12th floor
Hamilton ON L8N 3Z9

Ministère de
l'Environnement
et de l'Énergie

119 rue King ouest
12e étage
Hamilton ON L8N 3Z9

Ontario

September 16, 1997

Mr. Joe Pavelka
Chief Administrative Officer
City of Hamilton, City Hall
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Mr. Pavelka,

RE: Analysis of Samples from City of Hamilton Parks

Further to our telephone conversation held prior to your trip Vancouver, I have followed up this issue with Mr. Lobo in your absence. After much discussion with our Laboratory Services Branch management, the Ministry has agreed to conduct the analysis on the 16 samples collected from the park areas for PAH. The quoted cost is $5,600.00. The Ministry will contract out an equivalent amount of samples of lower priorities to outside commercial laboratories and submit such invoices to the City of Hamilton for payment.

I believe that the above arrangement is your preference and meets your need to have the city's samples analyzed by the Ministry's laboratory so that there would be absolutely no questions regarding the QA/QC procedures given to the park area samples and residential samples that were originally analyzed by the Ministry.

Yours truly,

H. M Wong
Regional Director

cc: Mr. Douglas Lobo - Commissioner, Public Works, City of Hamilton
Mr. Bern Schnyder - Director, Laboratory Services Branch, MOEE

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10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 October 1, 1997

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng., Chairman,
Development Charges Staff Subcommittee

SUBJECT: Development Charges Act - Complaint
271 Jackosn Street West (97.2.4.2.1.A, 97.4.12)

RECOMMENDATION:

That after hearing the evidence and submission of the complainant, Norm Westbury, for Hamilton Habitat for Humanity, the Council of the City of Hamilton hereby refunds the development charges imposed on the property located at 271 Jackson Street West pursuant to City of Hamilton Development Charges By-law 95-176 in the amount of $1,592.05.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds of $1,592.05 will not be collected for the development charges account.

BACKGROUND:

On 1997 August 20, a building permit application was submitted by Hamilton Habitat for Humanity to erect a new single family dwelling at 271 Jackson Street West.

The vacant parcel of land was donated to the Hamilton Habitat group by the Players Guild of Hamilton and was formally recognized by the City as a Sesquicentennial Project. This property is located in a fully developed residential neighbourhood. Adjoining properties are approximately 90 years of age.

.../2

The Development Charges Staff Subcommittee reviewed the complaint of the Hamilton Habitat for Humanity and recommended amending the development charges to zero, as there was an error in the application of the Development Charges By-law. This decision was based upon the requirement in Section 341 of the Development Charges Act which states that the City may impose development charges if "...the development of the land would increase the need for services...".

Development of this lot does not increase the need for services, as the neighbourhood is fully developed and serviced.

PCL/dm

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Appointment of City's Insurance Brokers of Record

RECOMMENDATION:

a) That J&H Marsh & McLennan, Limited be appointed as the City's Insurance Brokers of Record responsible for the City's complete insurance portfolio and related risk management services for a three year term from 1997 October 15 to 2000 October 15 (subject to annual review by the City Solicitor);

b) That the Mayor and City Clerk be authorized to execute the contract, satisfactory to the City Solicitor in respect of the broker appointment.

c) That J&H Marsh & McLennan, Limited be authorized to initiate a remarket of the City's insurance portfolio upon specifications and deductibles set out by the City Solicitor for consideration by Council on or before 1997 November 25; and

d) That the City Solicitor be authorized to obtain quotations for consideration by Council of Public Officials' Liability Insurance for consideration on or before 1997 November 25.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The appointment of J&H Marsh & McLennan will cost $48,600 for 1997; $43,200 for 1998, and $43,200 for 1999 (total over three years $135,000). These costs are funded from Centre 24101. The elimination of one broker from the present two broker system will result in cost

savings of a minimum of $41,570 per year (a three year savings of $124,711.20; being the lowest broker proposal). Further, having a single broker will increase the City's leverage on the soft insurance market and will create a focused risk management approach towards both the property and liability segments of the City's portfolio.

BACKGROUND:

On 1993 October 26 Council, in adopting Item 18 of the 12th Report of the Finance & Administration Committee, approved the appointment of the City's insurance brokers of record: Alexander & Alexander Reed Stenhouse (property insurance requirements; that company is now AON Reed Stenhouse Inc.) and Johnson & Higgins Ltd. (liability insurance needs; that company is now J&H Marsh & McLennan, Limited). The appointments began on 1993 December 1 1993 and were to run for a three year period. These appointments were extended by Council in order to incorporate into the insurance remarket recommendations from Sobeco Ernst Young regarding deductibles and the like. Further, it was determined that severing the consideration of brokers from that of the insurance programme would have significant benefits in broadening the focus of the proposal beyond insurance placement to the increasing risk management assistance role of our brokers.

Major qualified brokers, through their expertise, have enabled the City to create an effective insurance portfolio with a view to cost of risk and the implementation of a risk management programme. The benefits of the independent broker process which was initiated by the Treasury Department in 1993 include, but are not limited to: the review and advice with respect to the internal claims process; loss prevention engineering through site audits; the close monitoring on our behalf of the financial security and integrity of our insurance companies; and day to day assistance in respect to appropriate insurance limits and contract wording. In January of 1994, the insurance placement and risk management responsibilities were transferred to the Law Department. While there has been significant movement in the City's insurance programme, this is an ongoing process of amelioration. Initiatives to be completed and continued are:

1. the quotation and placement of Public Officials' Liability Insurance to both provide errors and liability coverage not previously in place and to consolidate present association and E&O coverage in place for the Library Board and HECFI. It is recommended that the remarket include such coverage which is to be considered for the upcoming insurance year;

2. a review of the City's claims procedures and the investigation and acquisition of a data system for both claims and risk management acceptable to the City and its insurers;

3. continuation of the site audit process whereby risk engineering staff from the brokerage firm provide analysis and guidance to us with respect to property and liability exposures present at City facilities.

During the summer of this year, staff from the Treasury and Law Departments initiated the

broker request for proposal. The close of proposals occurred on 1997 September 22 with the result that the City received proposals from four brokerage firms: Dalton Timmis Insurance Group, Jardine OME Limited, Johnson & Higgins Marsh & MacLennan Limited (the City's current liability brokers) and Aon Reed Stenhouse (the City's present property brokers). Interviews were conducted with the four candidate firms by staff from the Law Department and their proposals were closely reviewed. A discussion of the their proposals and staff's recommendation follows:

DISCUSSION:

Requirements set out in the City's Proposal Document (Ref No.: C12-197) were for the following services:

1. Basic services re: advice on renewal of policies
2. Assistance in review of internal risk management procedures and the preparation of safety manuals and systems
3. Conduct of annual safety audits at facilities throughout the City

The four brokerage firms that submitted proposals were given an opportunity to provide presentations to staff. The results from their proposals and presentations (inclusive of all applicable taxes) are as follows:

	1997	1998	1999	Total
J&H Marsh & McLennan (hereinafter referred to as J&H)	$48,600	$43,200	$43,200	$135,000
AON Reed Stenhouse Inc. (hereinafter referred to as AON)	$54,435	$54,435	$56,595	$165,465
Dalton Timmis Group, Inc. (hereinafter referred to as Dalton)	$41,570.40	$41,570.40	$41,570.40	$124,711.20
Jardine OME Ltd. (hereinafter referred to as Jardine)	$61,380	$56,380	$56,380	$174,140

The proposals were further evaluated in order to determine whether the brokers could perform the services required by the City as set out in the proposal document. As well there was a review of the service records of our existing brokers. The proposal document provided that the successful broker must be qualified and able to continue the service requirements of the past including: summaries of policies; premium allocations for internal purposes; comment on market conditions and trend forecasting; claims advice (the successful broker because of the City's size and claims frequency is required to have an internal claims department); review of internal risk management procedures; annual safety audits (the successful broker is required to have an internal engineering staff to provide hazard recommendations); risk training and

seminars for staff; and access to municipal liability experience and trends as well as a strong market presence in order to ensure reasonable premiums for the coverages required.

Further, as the City moves forward in its risk management practices, it is required of the successful broker that advice and recommendations be given in respect the City's claims procedures and the acquisition of data system. For that reason, a major broker with an internal information systems group with the necessary insurance focus is required. The successful broker will be also be involved with the City's request for proposal process for a claims adjusting firm.

Accordingly, after looking at all of the above requirements and the strengths and weaknesses of each of the proposal firms as well as their related fees, it is recommended that the City consolidate its property and liability brokerage needs with J&H Marsh & McLennan, Limited for the following reasons:

1. Market Strength: J&H, since its merger with Marsh & McLennan, is the largest broker worldwide, operating in over 80 countries. Given its size and the premiums placed per year and its market access to approximately 200 markets, it is expected that the City's aggressive premium quotations will continue. AON (the City's current Property broker) is of similar size (the largest broker in Canada) and could provide similar market clout. Both Jardine and Dalton are both smaller brokerage firms with access to fewer markets, with a tendency to focus on certain insurance companies (Dalton - Frank Cowan Company; Jardine - OMEX) rather than a broader access.

2. Past Performance: J&H has provided consistent service to the City over its past tenure and has been responsive to the City's turnaround time requirements. The responsiveness of AON has not been as consistent and while there has been an improvement in recent months with a change in our account executive, there has been a significant lack of responsiveness and flexibility. Further, there has not been the same "value for money" experience with AON. It is noteworthy that their quotation is $30,465 higher than J&H.

3. Claims Review and Data System: J&H is in a position to provide through its internal information systems group and the internal claims department, significant and needed services in respect of appropriate functions and reports of a data system. Their input may include working with Information Systems on the present system or assistance in the investigation of other data systems. Further J&H, as the City's present liability brokers, are familiar with the present reports produced and the type and frequency of our claims experience. While AON too has an inhouse systems group, the costs are higher. Neither Dalton nor Jardine has such services inhouse and would have to obtain outside expertise in this regard.

4. Site Audits: One of the specified requirements of the qualified broker was the existence of an inhouse engineering department to provide liability and property risk audits of City sites. Jardine, AON, and J&H are in a position to provide these services

themselves while Dalton would require the services of an outside firm. The services of both Jardine and AON are more costly than those of J&H. Further, J&H has experience with the City having already performed such audits on our facilities (including a general overview audit in 1994; an audit of the Chedoke Twin Pad Arena; an audit of the Mohawk Sports Park Skate Board ramp).

5. Municipal Experience: While all of the firms have experience with municipalities, only AON and J&H have experience with numerous like sized municipalities. Jardine for the most part deals with much smaller rural municipalities and has much fewer resources. The same argument may be made of Dalton who while having a local advantage is not yet of a size to provide all of the services required inhouse. Further Dalton may have conflict situations arise as they are presently the brokers for the Region. Given the City's past positive experience with J&H and that of their other clients, it is recommended that the City retain J&H for its entire insurance programme.

In summary, J&H is recommended by staff because of their positive service record with the City. Given their stature in the broker community and service to like-sized municipal corporations, their fee quotation is considered to be reasonable, although not the least expensive. Amalgamating the property and liability sides of the portfolio with J&H will benefit the City in creating a focused approach to the insurance markets and in our risk management approach as well as resulting in the significant cost savings to the corporation outlined above. Further, continuing with J&H, there will be no learning "downtime", thereby preserving a continuity in the City's risk management and insurance placement process.

cc. A.C. Ross, Treasurer
D. Lobo, Commissioner of Public Works & Traffic

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 October 7
1:30 o'clock p.m.
Room 233, City Hall

URBAN MUNICIPAL
OCT 9 1997
GOVERNMENT DOCUMENTS

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held on Tuesday, 1997 September 23rd

B. TREASURER

Land Acquisition - Part of 337 Centennial Parkway North - Financing

C. HAMILTON PUBLIC LIBRARY BOARD

Closure of Hamilton Public Library Board Capital Projects

D. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Tuesday, 1997 September 23
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present:

Alderman B. Charters, Chairman
Alderman D. Ross, Vice-Chairman
Robert M. Morrow
Alderman D. Wilson
Alderman C. Collins
Alderman D. Drury
Alderman M. Kiss
Alderman V. Agro
Alderman T. Anderson

Also Present:

Alderman M. Caplan
Alderman H. Merling
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
J. Schatz, City Clerk
M. Watson, Real Estate Division, City Clerk's Department
R. Fair, Director of Culture and Recreation
J. Hindson, Director of Information Systems
P. Hooker, Law Department
K. Nutley, Real Estate, City Clerk's Office
Fire Chief Wes Shoemaker
D. Lobo, Commissioner of Public Works and Traffic
P. Baker, The Hamilton Parking Authority
C. Guthro, Public Works and Traffic
J. Hickey-Evans, Planning
K. Beattie, Treasury
R. Karl, Public Works and Traffic
R. Salayko, Public Works and Traffic
Susan K. Reeder, Secretary

A G E N D A

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

Declaration of Surplus property/sale - 30 Linden Street

(a) (i) That 30 Linden Street be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,

(ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That an Offer to Purchase 30 Linden Street for the price of $56,500, executed by D. Carl-Drage, dated 1997 September 8, be accepted. The said land has a frontage of 30.59 metres (100.36 feet) and a depth of 28.042 metres (92.0 feet), being Part 2 on Plan No. RB-H-589 Surveys, with structures thereon, said transaction scheduled to close on 1997 November 21. This land vested in the City as a result of no bids upon its sale for tax arrears under the Municipal Tax Sales Act. Funds derived from this sale less commission be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $5,650 be held by the City Treasurer pending Council approval; and,

(iii) That upon successful completion of this sale, a real estate commission of 6% of the sale price be paid to Royal LePage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,

(iv) That the Offer be approved subject to clauses which state:

(1) That the Purchaser acknowledges and agrees there are no warranties and/or representations by the Vendor (City) whatsoever and the property be purchased on an "as is" basis; and,

(2) That the Purchaser has relied upon his own investigation with respect to the quantity, value and title to the property; and,

(3) That Part 1 on Plan No. RB-H-589 Surveys be incorporated into the road allowance of Linden Street on or before the closing of this transaction; and,

(4) That prior to the closing of this transaction, that the existing chain link fence and posts located along the northern limit of Part 1 on Plan No. RB-H-589 Surveys and any materials, equipment, goods or products found on the surface of the said Part 1 be removed at the Purchaser's sole expense; and,

(v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 September 23; and,

(vi) That the Commissioner of Transportation be authorized to incorporate Part 1 of Plan No. RB-H-589 Surveys into the road allowance of Linden Street by By-law.

Sale of City Property(Tax Sale) - 188 Cavell Avenue

(a) That an Offer to Purchase Agreement, duly executed by Circle M Ranch Flamborough Inc., on 1997 September 11 and scheduled to close on or before 1997 November 4, for the vacant lands composed of part of Lots 55 and 56, in the Beloit Survey, known as Plan No. 414, having a frontage of 6.55 metres (21.5 feet) more or less, along the eastern limit of Cavell Avenue (formerly Berlin Avenue) and a depth of 24.38 metres (80.0 feet) more or less, known municipally as 188 Cavell Avenue, Hamilton, which lands were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $8,000 less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $750 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 6% of the $8,000 sale price be paid to Homelife/State Realty Ltd. (Sales Representative Pegi O'Grady-Serafini), who acted in this matter; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 September 23; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC - City of Hamilton -ats- Jean Gold

(a) That the City resolve Ontario Court (General Division) Action # 10320/95 by the payment to the Plaintiff, Jean Gold, of the sum of $7,500 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 10320/95 be dismissed without costs.

CITY SOLICITOR - Fire Marshall's Act Restraining Order, the City v. Haberman et al

That the City Solicitor be authorized to execute a consent in Court File No. 513/97, to obtain an Order directing compliance with terms of the Fire Code for 686 Queenston Road, Hamilton as against 1200791 Ontario Inc. and dismissing the action as against the other respondents.

CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR OF INFORMATION SYSTEMS - 1997 Base Budget Reductions for Information Systems

(a) That the position of Manager of Systems Planning within the Information Systems Department be deleted and that the incumbent in the position be severed in accordance with City policies and procedures; and,

(b) That the position of Microfilming Technician II within the Information Systems Department be deleted and that the remaining staff position in the Microfilming section and the budget associated with the Microfilming operation be transferred to the City Clerk's Department effective 1998 January 1; and,

(c) That the Region be advised that the position of Administrative Assistant III in the Information Systems Department was vacant effective 1997 June 30th and the position is to be deleted; and,

(d) That the total staff complement for Support Services Technicians in the Information Systems Department be increased by two effective 1998 January 1.

REGULAR AGENDA

2:00 O'CLOCK P.M. DELEGATIONS

A. (a) Development of the Playhouse Theatre, Sherman Avenue North

(i) Christopher Giacinti, Burke Austin

The Committee was in receipt of correspondence from Christopher Giacinti and Burke Austin dated 1997 August 12, respecting the Development of the Playhouse Theatre, Sherman Avenue North.

(ii) Lily Small - Great Big Theatre Company

The Committee was in receipt of correspondence from Lily Small dated 1997 June 23, respecting the Development of the Playhouse Theatre, Sherman Avenue North.

(iii) Rev. Todd Bender - City Kidz

The Committee was in receipt of correspondence from Rev. Todd Bender dated 1997 August 12, respecting the Development of the Playhouse Theatre, Sherman Avenue North.

Following discussion on this issue by the Committee, it was agreed that this matter be tabled in order to give the three groups requesting use of the property, an opportunity to meet together to come back with a joint proposal for a combined use of the building. It was noted that this proposal should include such components as how the start up costs will be met; the funding for maintenance; and a proposal for subsequent purchase of the property.

(b) Fred Morrison, Van Wyck Morison Insurance Brokers Inc. - city owned property - part of 1717 Upper James Street

The Committee was in receipt of correspondence from Fred Morison dated 1997 September 12, respecting the above noted matter.

Following discussion, the Committee agreed that this matter would be tabled in order to allow the Director of Planning to raise the concerns of the Committee on the effects to the Allison Neighbourhood Plan that this sale would have, with the Planning and Development Committee at its meeting on Wednesday, 1997 September 24th.

(c) Proposed Questions for Municipal Election Ballot

(i) Melvin Boudreau - request to have a question placed on the ballot respecting the District Health Council

The Committee was in receipt of correspondence from Melvin Boudreau dated 1997 September 2, respecting the above noted matter.

The City Clerk spoke to the Committee and advised them that under the provision of The Municipal Elections Act, concerning by-law questions to be submitted by the Municipal Council, that Section 8(1) of the Act specified "(b) a question not otherwise authorized by law but within the council's jurisdiction."

Mr. Boudreau addressed the Committee and distributed a copy of his speech.

As a result of the City Clerk's advise regarding the questions on an electoral ballot, the Committee agreed to "receive" the request of Mr. Melvin Boudrea respecting the District Health Council, and refer this matter to the Region.

(ii) **Regional Municipality of Hamilton Wentworth - request to consider including a question on the electoral ballot regarding a Model Tobacco control By-law**

The Committee was in receipt of correspondence from the Regional Municipality of Hamilton-Wentworth dated 1997 September 5, respecting the above noted matter.

The Committee approved the following:

(a) That the following question, forwarded to the City by the Regional Municipality of Hamilton-Wentworth for consideration, be placed on the electoral ballot for the 1997 November 10th Municipal Election, and that the response to this question guide the decision making process for the implementation of a Model Tobacco Control By-law in the City of Hamilton by 1998 June 1:

"The City of Hamilton is considering a Model Tobacco Control By-law that would make all public places and workplaces, **with some exceptions**, smoke-free by 2000 June 1.

Are you in favour of the Council of the Corporation of the City of Hamilton passing this by-law?

Yes ___ No ___ "

(b) That the appropriate by-law be presented to City Council for enactment.

(iii) **Eduardo Navarro - Government restructuring**

The Committee was in receipt of correspondence from Eduardo Navarro dated 1997 September 17, respecting the above noted matter.

The Committee agreed to receive this request and take no action.

(iv) **Alderman D. Wilson**

Alderman Wilson indicated that he would present his motion at the upcoming City Council meeting concerning a proposed question for the electoral ballot.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its meeting held Tuesday, 1997 August 19th, and the minutes of its special meeting held Tuesday, 1997 August 26th, and approved these minutes as circulated.

B. CITY CLERK

(i) Maintenance of Xerox 5090 Photocopier

The Committee was in receipt of a report from the City Clerk dated 1997 August 26, respecting the above noted matter, and approved the following:

> That Xerox Canada Ltd. be awarded the maintenance contract for the City-owned Xerox 5090 photocopier for a term to expire 1998 December 31, with two - one year renewal periods at the discretion of the City Clerk's Department, at a base monthly cost of $309.46 and $0.0063 per copy.

(ii) **Extension of terms of office for citizen members on City Committees, Local Boards and Commissions**

The Committee was in receipt of a report from the City Clerk dated 1997 August 14, respecting the above noted matter.

The Committee approved the following:

> That the Terms of Office for the existing Citizen Members of the various City Committees, Local Boards and Commissions expiring at the end of 1997, be extended until 1998 February 10, or until their successors are appointed, to allow the Committees, Local Boards and Commissions to function until such time as the newly elected Council has had an opportunity to undertake the necessary actions to fill these vacancies.

(iii) **By-law - re: Voting Place Hours for Institutions and Retirement Homes**

The Committee was in receipt of a report from the City Clerk dated 1997 September 18, respecting the above noted matter.

The Committee approved the following:

> That a By-law be enacted to provide for the reduction of opening hours with respect to a voting place described in Sub-section 45(7) of The Municipal Elections Act, 1996 that is only for the use of residents of the institution or retirement home, in a Municipal Election, as follows:
>
> The close of voting on voting day may take place prior to 8:00 p.m. where:
>
> (a) Every Elector whose name appears on the Voters' List for the premises has requested a ballot, and either voted, or been afforded an opportunity to vote, left the polling place without returning the ballot, or declined to vote and returned the ballot; and,
>
> (b) The Deputy Returning Officer has verified with the Administrator of the premises which is described in Sub-section 45(7) that no other qualified Electors reside within the premise; and,
>
> (c) The Deputy Returning Officer has confirmed with an Election Official at the Election Office of the City of Hamilton that the requirements prescribed under Clauses (a) and (b) have been met.

C. TREASURER

(i) Authorization to enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears

The Committee was in receipt of a report from the Treasurer dated 1997 September 15, respecting the above noted matter, and approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

12 Burfield Ave.	134 East 36th St.
378 Avondale St.	29 Depew St.
1837 Main St W.	47 Glenburn Crt.
134 Cavell Ave.	32 Harvey St.
21 Cheever St.	179 Kimberley Dr.
131 Kensington Ave N.	232 Hunter St E.

(b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

(ii) Tax Applications Processed under Section 443, Subsec. 5, under The Municipal Act, Chap. 45, R.S.O.,1990

The Committee was in receipt of a report from the Treasurer dated 1997 September 15, respecting the above noted matter, and approved the following:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $12,973.74 be approved and charged to CH55307-24104 Tax Remissions.

(iii) Landscaping in the median at the intersection of Arrowsmith Road and Centennial Parkway - Financing

The Committee was in receipt of a report from the Treasurer dated 1997 September 12, respecting the above noted matter.

The Committee approved the following:

That as referred to in Section 4 of the Ninth Report for 1997 of the Transport and Environment Committee, approved by City Council on 1997 August 26th, the cost of landscaping the median at the intersection of Arrowsmith Road and Centennial Parkway, in an amount not to exceed $40,000, be financed from the Reserve for Services through Unsubdivided Lands, Account Centre No. CH 00107.

D. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) Replacement of One Detachable Snow Blower - Unit 9601, Fleet Services

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 August 27, respecting the above noted matter, and approved the following:

That a purchase order be issued to Joe Johnson Equipment, Barrie, in the amount of $103,408, including all applicable taxes and trade-in, for the replacement of one (1) Detachable Snow Blower Unit #9601 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649751023.

(ii) Replacement of Two (2) Truck Chassis with Services - Bodies Units 6014 and 6015, Fleet Services

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 September 11, respecting the above noted matter.

The Committee approved the following:

That a purchase order be issued to Altech Industries Ltd., Milton, in the amount of $131,100, including all applicable taxes, for the replacement of two (2) Truck Chassis complete with Service Bodies Units #6014 and 6015 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649651019.

(iii) Replacement of Three (3) Extended Cab Pick-Up Trucks - Units 1435, 9096, and 9393 Fleet Services

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 September 11, respecting the above noted matter, and approved the following:

That a purchase order be issued to City Chevrolet, Oldsmobile Ltd., Hamilton, in the amount of $99,460.05 including all applicable taxes, for the replacement of three (3) Extended Cab Pick-ups #1435, 9096 and 9393 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5530 649751023.

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 September 17, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - Retail Task Force (Dylex Limited; Hudson's Bay Company; The Oshawa Group Limited) - Provincial tax reform - letter dated 1997 August 7th

(b) Information Report - City Clerk - City Clerk's Department Quarterly Report as at 1997 June 30th - report dated 1997 August 19th

(c) Information Report - City Clerk - Legislative Quarterly Report as at 1997 June 30th -report dated 1997 August 19th

(d) Information Report - Director of Culture and Recreation - Roof Fire - City Hall - 1997 August 18th - report dated 1997 August 19th

(e) Information Report - Chief Administrative Officer - Glengrove Avenue from Reid Avenue to Armstrong Avenue - report dated 1997 August 22nd

(f) Information Report - Treasurer - Financial Shared Services Proposal - report dated 1997 August 29th

(g) Information Report - Director of Culture and Recreation & the Building Commissioner - Barrier Free Design Modifications Strategy - All City Buildings - report dated 1997 August 27th

(h) Information Report - Chief Administrative Officer - CAO Department Quarterly Report as at 1997 June 30th - report dated 1997 August 11th

(i) Information Report - Fire Chief - Restoration of Fire Department Apparatus - Plastimet Fire - report dated 1997 September 4th

(j) Correspondence - Bernard A. Moyle, Fire Marshal of Ontario, Ministry of the Solicitor General and Correctional Services - Fire Marshal's Report, "Protecting the Public and the Environment by Improving Fire Safety at Ontario's Recycling and Waste Handling Facilities" - letter dated 1997 August 29th.

(k) Correspondence - City of Toronto - Provincial Inquiry - Fire at Plastimet Inc., Hamilton, Ontario - letter dated 1997 August 26th

(l) Memorandum - Real Estate Division - Real Estate Division of the City Clerk's Office to the Region for the second quarter of 1997 - memo dated 1997 September 3rd

(m) Recommendation to the Transport and Environment Committee from the Commissioner of Public Works and Traffic - 1997 Servicing Expenditures related to Sub-divisions - report dated 1997 September 3rd

(n) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1997 August 31st - report dated 1997 September 8th

(o) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1997 August 31st - report dated 1997 September 8th

(p) Correspondence - City of Toronto - Emergency Funding for Poland and the Czech and Slovak Republics' - Flood Disaster - letter dated 1997 September 4th

(q) Information Report - Chief Administrative Officer - Plastimet Fire Costs - report dated 1997 September 16th

(r) Information Report - Commissioner of Human Resources - Human Resources Centre Re-Structuring - report dated 1997 September 15th

(s) Information Report - Commissioner of Human Resources - Appointments to and Terminations from permanent positions with the Corporation of the City of Hamilton - report dated 1997 September 15th

(t) Information Report - Treasurer - Town of Flamborough - Purchasing Service Proposal - dated 1997 September 17th

(u) Correspondence - Regional Municipality of Halton - Resolution from the City of Hamilton - Plastimet Fire - letter dated 1997 September 11th

(v) Correspondence - City of Sault Ste. Marie - Resolution from the City of Hamilton - Plastimet Fire - Public Inquiry - letter dated 1997 September 10th

(w) Correspondence - City of Burlington - Fire at Plastimet Inc. - letter dated 1997 September 9th

(x) Correspondence - Ontario Restaurant Association - Potential Referendum Question on Smoking Bylaws - letter dated 1997 September 11th

REGULAR AGENDA

3. MAYOR ROBERT M. MORROW

(a) **Remaining Capital Grant requests**

The Committee was in receipt of a memorandum from Mayor Robert M. Morrow, dated 1997 August 25, respecting the above noted matter.

(i) **Information Report - Treasurer - Excess or Surplus Capital financing during 1997 and Outstanding Capital Grant Requests**

The Committee was in receipt of an information report from the Treasurer dated 1997 August 8, respecting the above noted matter.

The Mayor spoke to this issue and the Committee to table this matter until the 1997 October 7th meeting in order to have a more detailed report provided to them from the Treasurer respecting the remaining Capital Grant requests.

(b) **FCM Big City Mayor's Caucus - Per capita contribution to Right of Way Fund - Telecommunications: Access to Municipal Rights-of-Way**

Alderman Wilson declared a conflict of interest in this matter as both he and his wife are employees of Bell Canada.

The Committee was in receipt of correspondence from the Federation of Canadian Municipalities (FCM) dated 1997 July 9, respecting the above noted matter.

The Committee approved the following:

(a) That City Council endorse the following five principles outlined in the Federation of Canadian Municipalities Municipal Telecommunications Access Agreement:

(i) Municipal Governments must have the ability to control the number and types of aboveground telecommunications pedestals, kiosks, etc., and the location of underground infrastructure; and,

(ii) The use of municipal rights-of-way by telecommunications companies must not impose financial costs on municipal governments and taxpayers; and,

(iii) Municipal governments must not be responsible for the costs of relocating telecommunications infrastructure if relocation is required for planning or other reasons deemed necessary by the municipal government; and,

(iv) Municipal governments must not be liable for any economic loss, legal costs or physical restoration costs resulting from the disruption of telecommunications services arising out of the actions of a municipal government unless grossly negligent; and,

(v) Municipal governments must receive revenues over and above their direct costs in providing access to rights-of-way as proper compensation for the use of municipal property for profit; and,

(b) That City Council establish a policy, as proposed by the FCM Big City Mayors' Caucus, whereby access to municipal rights-of-way will be denied to any telecommunications firm which does not agree in writing to the five principles as referenced above; and,

(c) That approval be given for a Telecommunications Municipal Right-of-Way Fund Contribution in the amount of $6,370 to be made to the Federation of Canadian Municipalities Big City Mayors' Caucus as the City's per capita portion; and,

(d) That funding for this expenditure be charged to Centre CH80040 - Public Relations; and,

(e) That the FCM Big City Mayors' Caucus be advised of the City's approval of the above noted actions with respect to the Telecommunications: Access to Municipal Rights-of-Way Action Plan.

(c) **Dinner Reception for 1997 OUAA - Ontario Universities Athletic Association - Golf Tournament**

The Committee was in receipt of a report from the Mayor dated 1997 September 15, respecting the above noted matter.

The Committee was also in receipt of a report from the Treasurer 1997 September 17th respecting the financing of the various Civic Receptions being recommended.

The Committee approved the following:

(a) That the City of Hamilton provide funding in an amount up to $3,000 to host a dinner reception for the 1997 Ontario Universities Athletic Association -Golf Tournament, to be held at King's Forest on 1997 October 6; and,

containing an area of 0.38 hectares (0.938 acres) more or less, and the funds derived from this transfer of $2 be credited to Account No. CH 4X999 00102 (Reserve for Property Purchases - Other Revenue); and,

(ii) That the Commissioner of Transportation be directed to prepare a By-law to sell the portions of Garnet Avenue and MaClanders Street, being Part 18, Plan 62R-11788 and Limeridge Road West, being Parts 2 and 3, Plan 62R-11800; and,

(iii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,

(iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act incorporating the following:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) No appraisal of fair market value of the real property intended to be sold as road allowances are exempt from the appraisal requirement of Section 193 of the Municipal Act.

7. DIRECTOR OF CULTURE & RECREATION

(a) Requested report back - Relocation of the Irish Monument from Gage Park to the City Hall Grounds

The Committee was in receipt of a report from the Director of Culture and Recreation dated 1997 September 15, respecting the above noted matter. The Director of Culture and Recreation advised the Committee that removal of the existing foundation at Gage Park would be undertaken by the City, and not the Wearing of the Green Committee, as noted in the report.

The Committee then approved the following:

That the monument commemorating the Bi-centennial of Irish Immigration be installed on the west side of City Hall grounds, at the grassed area immediately south of the Ontario Professional Engineers Time Capsule.

(b) City Hall and Its Grounds; Development of a Grounds Use Policy/Preparation of Capital Renovations Plans for Building and Grounds

The Committee was in receipt of a report from the Director of Culture and Recreation dated 1997 September 16, respecting the above noted matter.

The Committee approved the following:

(a) That the Director of Culture and Recreation and the Commissioner of Public Works and Traffic be authorized to develop a Grounds Use Policy to guide decision-making relative to the placement of commemorative plaques and for use of the grounds for community events; and,

(b) That a team consisting of representatives from the Culture and Recreation; Public Works and Traffic; City Clerks and Building Departments convene under the Chairmanship of the Director of Culture and Recreation to develop comprehensive plans for the retrofit of the City Hall Building and Grounds, Summers Lane and Commonwealth Square in consultation with HECFI and the Art Gallery of Hamilton for inclusion as capital projects for consideration during the preparation of the 1998-2007 Capital Plan.

(c) St. John's Ambulance - Financial Assistance

The Committee was in receipt of a report from the Director of Culture and Recreation dated 1997 September 15, respecting the above noted matter, and approved the following:

(a) That funds in the amount of $20,100 be granted to the Hamilton-Wentworth Branch of the St. John Ambulance to assist with offsetting the impact of a loss of base funding support from the United Way of Burlington-Hamilton and in recognition of the outstanding public service provided by this community agency; and,

(b) That this expenditure be financed as an approved overdraft of the budget of the Department of Culture and Recreation; and,

(c) That consideration be given to this matter as an expansion package in the preparation of the 1998 Current Budget; and,

(d) That the area municipalities of the Region of Hamilton-Wentworth and the City of Burlington be encouraged to support St. John Ambulance in a commensurate fashion.

8. THE PARKING AUTHORITY OF THE CITY OF HAMILTON - Proceeds from the sale of municipal carparks

The Committee was in receipt of a report from the General Manager of the Parking Authority of the City of Hamilton dated 1997 August 26, respecting the above noted matter. The Committee agreed that the funds from two recent parking lot sales should be recredited back to the Hamilton Parking Authority, and also that the issue of the policy respecting this matter be reviewed by the next term of Council.

In this regard, the Committee approved the following:

(a) That the proceeds from the sale of two carparks at 16 McGill Street and 1453 Main Street East in the amount of $83,500 be credited back to the Reserve for Offstreet Parking Account from the City Reserve for Property Purchases Account; and,

(b) That the existing Council policy which dictates that the source of funds used to purchase City property be subsequently credited with the proceeds from any sale be reviewed by the next term of Council.

9. COMMISSIONER OF PUBLIC WORK AND TRAFFIC - 1997 Vehicle Replacement Program

The Committee was in receipt of a report from the Commissioner of Public Works and Traffic dated 1997 August 25, respecting the above noted matter, and approved the following:

That the replacement of 59 vehicles in the 1997 Vehicle Replacement Program be upgraded to include an additional 4 units, at an estimated cost $120,000, be funded from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101, not to exceed the $2.4 million 1997-2006 approved Capital Budget Program.

10. COMMISSIONER OF PUBLIC WORKS AND TRAFFIC\CITY SOLICITOR - Claims Adjusting Services - Extension of Terms of Engagement

The Committee was in receipt of a joint report from the Commissioner of Public Works and Traffic and the City Solicitor dated 1997 September 12, respecting the above noted matter.

The Committee approved the following:

(a) That the Terms of Engagement with the City's Claims Adjusters, Crawford-THG, be extended from 1997 September 28 to 1998 September 28 with a $1 increase in the hourly rate; and,

(b) That the Commissioner of Public Works and Traffic and the City Solicitor be authorized to initiate a Request for Proposal for claims adjusting services.

11. CORRESPONDENCE

(a) Bay Area Restoration Council - request for bridge financing support in the amount of $1,500.

The Committee was in receipt of correspondence from the Bay Area Restoration Council dated 1997 August 7, respecting the above noted matter.

The Committee approved the following:

(a) That approval be given for a City contribution in the amount of $1,500 to the Bay Area Restoration Council to assist in the cleaning up of the harbour watershed; and,

(b) That the request for similar funding for 1998, be referred to the next term of Council for consideration; and,

(c) That funding for the 1997 expenditure be financed from Centre CH24201 - Unclassified.

(b) Hamilton Board of Education - submission of two names as the Board's representative on the Hamilton Library Board

The Committee was in receipt of correspondence from the Hamilton Board of Education dated 1997 September 10, respecting the above noted matter, and approved the following:

That Mark S. Davies be appointed as the Hamilton Board of Education representative on the Hamilton Public Library Board.

(c) The Skating Events Trust - request for the City to become a sponsor

The Committee was in receipt of correspondence from the Skating Events Trust dated 1997 September 3, respecting the above noted matter.

The Committee approved the following:

(a) That the City support the 1998 Bank of Montreal Canadian Figure Skating Championships being held in Hamilton by contributing to the City banner program in the amount of $3,000 and supporting a Volunteer Kick Off Party at an amount of $7,000; and,

(b) That funding for this expenditure be financed from the Reserve for Hosting of Conferences with Municipal Subject Content CH00126.

12. CITY TREASURER/DIRECTOR OF CULTURE AND RECREATION - City of Hamilton Donations Policy

The Committee was in receipt of a joint report from the City Treasurer and the Director of Culture and Recreation dated 1997 September 16, respecting the above noted matter.

The Committee agreed that this matter should be tabled for one month.

13. OTHER BUSINESS

Alderman Wilson spoke to the Committee about the recent difficulty of the Hamilton Branch 58 Royal Canadian Legion in unexpected expenses incurred as a result of the Valley Field, Quebec visit.

The Committee agreed to provide assistance to the Legion, and approved the following:

(a) That the City provide assistance to the Hamilton Branch 58 Royal Canadian Legion in the amount of $250 to aid them with the extra expenses which occurred for the Valley Field, Quebec visit; and,

(b) That funding for this expenditure be financed by an approved overdraft of the Grants Centre CH200XX.

Alderman Merling spoke to the Committee regarding a recent Committee of Adjustment matter and surplus freeway lands which are legal non-conforming use. He made reference to these lands which are now surplus to freeway needs reverting to the City and/or the City having first right of refusal in their sale. It was agreed that Mike Watson of the Real Estate Division, City Clerk's Office would do an Information Report on this matter for the Committee's consideration.

14. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder.

Susan K. Reeder, Secretary
1997 September 23

1997 September 30

Appendix "A" referred to in Section 21 of the Twentieth Report of the Finance and Administration Committee for 1997

The City of Hamilton
Treasury

Internal Financing Through Reserve

Pay-on-Foot Parking Authority Capital Projects

From the Reserve for Debt Charges, A/c Centre No. CH 00108
The rate based on 5 year Canada Bond Rate as at September 16, 1997
Amortized Over Five Years @ The Rate Of 5.53%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
Pay-On-Foot Eatons Centre and Convention Centre Parkade 1997					
					650,364.00
24-Sep-97					
31-Dec-97	150,000.00	140,343.61	9,656.39	5.53%	510,020.39
31-Dec-98	150,000.00	121,795.87	28,204.13	5.53%	388,224.52
31-Dec-99	150,000.00	128,531.18	21,468.82	5.53%	259,693.34
31-Dec-2000	150,000.00	135,599.61	14,400.39	5.53%	124,093.73
31-Dec-2001	130,956.11	124,093.73	6,862.38	5.53%	0.00
31-Dec-2002	0.00	0.00	0.00	5.53%	0.00
	730,956.11	650,364.00	80,592.11		

CITY OF HAMILTON

- RECOMMENDATION -

B.

DATE: 1997 September 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Land Acquisition - part of 337 Centennial Parkway North
- Financing

RECOMMENDATION:

That the cost of land acquisition know as part of 337 Centennial Parkway North as referred to in Section 5 (a) of the Ninth Report for 1997 of the Transport and Environment Committee adopted by Council 1997 August 26 in an amount not to exceed $16,200. be financed from the Reserve for Services Through Unsubdivided Lands, Account Centre No. CH 00107.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed from all 1997 projects related to subdivision expenditures including this recommendation is $442,436.19. The 1997 Capital Budget includes a provision of $800,000 for the City's share of Subdivision expenditures in 1997.

BACKGROUND:

This item was approved under Section 5 (a) of the NINTH Report of the Transport and Environment Committee adopted by Council 1997 August 26.

NRA:jc

c.c. E. M. Gill, Senior Director, Roads Dept., Attention: G. Aston
D. Lobo, Commissioner of Public Works & Traffic
P. Noé Johnson, City Solicitor, Attention: J. Davidson
J. J. Schatz, City Clerk, Attention: M. Watson

HAMILTON PUBLIC LIBRARY

55 York Blvd., PO Box 2700, Hamilton, Ontario, L8N 4E4.
Telephone (905) 546-3200 Facsimile (905) 546-3202

RECOMMENDATION

C

Date: 17 September, 1997

Report To: Susan K. Reeder, Secretary
Finance and Administration Committee

From: Ken Roberts
Chief Executive Officer, Hamilton Public Library

Subject: **Closure of Hamilton Public Library Board Capital Projects**

RECOMMENDATION:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
CF 919051011	Library-Automation/Collection Access Phases 2-5	$181,000	$181,000	$0
CF 919151018	Office Automation-1991 Phase	$75,000	$75,000	$0
CF 919151019	Automation/Collection Access-Phase 3	$223,000	$223,000	$0
CF 919241004	Central Library First Floor Renovations	$542,000	$541,841	$159
CF 919251008	Automation & Collection Access-Phase IV	$90,000	$90,000	$0
CF 919251009	Office Automation (1992)	$84,000	$84,000	$0
CF 919351011	Automated Collection Development - Phase 5	$67,000	$67,000	$0

Ken Roberts, C.E.O.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

None

BACKGROUND:

The above projects have been completed and were within budget.

D.

CITY OF HAMILTON

-RECOMMENDATION-

DATE:

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - FCM National Board of Directors - Call for Resolutions - memo dated 1997 September 15th

(b) Correspondence - Ontario Handgun Association - letter received 1997 September 17th

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1997

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

URBAN MUNICIPAL

FINANCE AND ADMINISTRATION COMMITTEE

OCT 20 1997

Tuesday, 1997 October 21
1:30 o'clock p.m.
Room 233, City Hall

GOVERNMENT DOCUMENTS

Susan K. Reeder.

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1:30 O'CLOCK P.M. - DELEGATIONS

A. Hamilton Professional Fire Fighters Association - Long Term Annual Medical Surveillance of Fire Fighters

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **CHIEF ADMINISTRATIVE OFFICER**

   New By-law for the Library Board

4. **CHIEF ADMINISTRATIVE OFFICER/BUILDING COMMISSIONER**

   City of Hamilton Involvement in the PaRCIL Project

5. **TREASURER**

   (a) Financing of One Time Costs - Human Resources/Information Systems

   (b) Requested Information Report - Downtown Parking (copy to follow)

6. **CITY CLERK**

Lease Renewal - 44 Greendale Drive; Seven Towers Non-Profit Family Day Care Inc..

7. **CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES**

Workers' Compensation Benefits for Aldermen

8. **DIRECTOR OF CULTURE AND RECREATION**

Extension of Existing Contract with Honeywell Ltd. - Building Controls and Automation Maintenance

9. **REFERRAL BACK FROM CITY COUNCIL**

Appointment of City's Insurance Brokers of Record

10. **CHIEF ADMINISTRATIVE OFFICER/FIRE CHIEF**

Joint Emergency Preparedness Program

(a) Treasurer - Financing of Joint Emergency Preparedness Program

11. **OTHER BUSINESS**

12. **ADJOURNMENT**

Hamilton Professional Fire Fighters Association
Local - 288 International Association of Fire Fighters

President

Henry Watson

Treasurer

Brian Stark

Affiliated with
Provincial Federation
of Ontario Fire Fighters
The Canadian Labour Congress

Secretary

Larry Staples
19 Laurier Avenue,
Hamilton, Ontario.
L9C 3R8 (574-7591)

October 1st, 1997

A.

Ms. Susan K. Reeder, Secretary
Finance and Aministration Committee
City Hall,
71 Main Street West,
Hamilton, Ontario.

Dear Ms. Reeder:

The Executive Committee of the Hamilton Professional Fire Fighters Association request to appear before the Finance and Adminstration Committee on October 21st, 1997 to request long term annual medical surveillance of Fire Fighters who were involved at the Plastimet Fire.

At this meeting we will be providing evidence to substantiate our request.

Yours truly,

L. Staples

Larry Staples, Secretary
Local 288 I.A.F.F.

cc: Mr. Henry Watson, President

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 October 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

SUBJECT: New By-Law for Library Board

RECOMMENDATION:

(1) That the new Hamilton by-law, establishing a Hamilton Public Library Board under the provisions of Bill 109, set the size of the new Library Board at 7 members, with two Aldermen and five appointed citizens.

(2) That the new Hamilton by-law, establishing a Hamilton Public Library Board under the provisions of Bill 109, establish Qualifications to include that each Library Board appointee "must be a qualified elector for the City of Hamilton who is currently eligible to be a member in the Hamilton Public Library".

J.G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
NIL

BACKGROUND:

Provincial Bill 109, the Local Control of Public Libraries Act, 1997, is expected to pass third reading this Fall and will come into effect on December 1, 1997.

The new public libraries act requires each municipality which operates a public library system to pass a by-law dealing with certain governance issues. At the same time, the new public libraries act does not give municipalities complete control over how public library systems are to be governed.

The Hamilton Public Library Board sent the Finance and Administration Committee a report, expressing their beliefs on what a new by-law should include. At its meeting on Tuesday, August 19, 1997 the Finance and Administration Committee referred this matter to staff requesting a report with recommendations on this matter.

Requirements of The New Act

Bill 109 requires that each municipality which operates a public library system establish a Library Board by means of by-law. The act does not allow any other means of governance. There are, however, several significant changes from the current Public Libraries Act.

Under the new Act, Qualifications and Size of Board appear to be the two major issues. The rest of the required by-law would contain required sections on items such as the number of meetings (usually at least one per month except for July and August), compensation (none) and conditions for filling vacancies or re-calling board members are a matter of normal (we would use standard conditions).

Under the new Act, Council retains the ability to determine service priorities when funding is approved and can, as a new component, require additional reports and information during the course of the year, if necessary.

In essence, the new legislation changes little except to limit the size of the Library Board and to reduce the number of restrictions on who can be appointed to the Library Board. If the recommendations in this report are accepted, we will proceed to draft a by-law as required by Bill 109.

A. Size of Library Board

The current Public Libraries Act requires Hamilton to have a Library Board composed of eleven members. Municipal employees are not eligible. A majority of these Board members cannot be politicians. Two members must be nominated by the school system which represents the most students (the public board in our case) and one member must be nominated by the other school system (the separate board). There are, as well, a number of explicit requirements for board members. There is no compensation. Meetings must be open to the public and it is the board's responsibility to cast a budget and to submit it to the appointing municipality.

The new act requires a Board of at least three people. It allows the municipality to determine qualifications, rules regarding appointment, procedure for filling vacancies, circumstances under which a seat may be vacated, and rules regarding reimbursement. There are no restrictions in terms of municipal employees and there is no requirement to place school board nominees on the board. Meetings still must be held regularly and must be open to the public, except for intimate financial or personal matters. The new act requires the Library Board to produce reports to Council upon Council's request, something which was not present before. It still provides the Library Board with the job of regulating the management of the library system and with casting a budget to be submitted to the City.

Other Ontario cities are setting their by-laws. It appears that a Library Board of seven members would place the Hamilton Public Library Board amongst the smallest in the province. The Ottawa draft by-law recommends eleven members. The City of Toronto will have thirteen members. The draft London by-law is recommending either five or seven members and this appears to be the smallest. None of the municipalities are recommending more than a couple of politicians. Library Boards will continue to deal with Intellectual Freedom issues. Our experience, and that of other communities, is that residents tend to line up firmly, and equally, on both sides of Intellectual Freedom debates. Our city's Chief Librarian, Ken Roberts, feels that citizen Boards have, in the past, done a good job of buffering politicians from Intellectual Freedom issues. There is a tendency for such issues to become extremely controversial. In most cases, federal or provincial law settles the issue, not local political decisions.

None of the other Ontario cities seem to be drafting by-laws which include school board nominees. People with an interest in library issues which may affect school systems are, of course, welcome to apply through the normal appointment process.

B. Qualifications to be a Board Member

The requirement that a member of the Hamilton Public Library Board be a qualified elector would cover qualifications normally listed in other draft by-laws (such as age, residency, ownership of property, etc). The requirement that the appointee is current eligible for membership in the public library would require us to check each applicant with the library. There have been cases in which applicants owe large sums of money and are not eligible. There are other reasons why a person might not be eligible, such as having been legally prohibited from entering library property. There have been cases in which such people seek Board membership to change their personal situations.

KR:JGP:dd

c.c. K. Roberts, Chief Executive Officer, Hamilton Public Library
J.J. Schatz, City Clerk

CITY OF HAMILTON

- RECOMMENDATION -

4.

DATE: 1997 September 18

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Joe Pavelka
Chief Administrative Officer

Mr. L. King, Building Commissioner
Building Department

SUBJECT: City of Hamilton Involvement in the PaRCIL Project

RECOMMENDATION:

a) That the City of Hamilton switch from being a full partner in the PaRCIL Project to a service/customer arrangement for 1997, with subsequent years to be renewed as appropriate.

b) That the 1996 charges for City department use and involvement in the PaRCIL Project of $133,566.59 be approved for payment, with $77,106.59 of that payment to be taken from capital account 5x921-00203, Reserve for Capital Projects, and the remainder from previously approved current budget allocations.

c) That a budget of $48,866.59 to the PaRCIL project for the portion of the 1997 costs for City PaRCIL activities not funded from previously approved current budget allocations be authorized from capital account 5x921-00203, Reserve for Capital Projects.

d) That the current budget base of $17,200 presently in Information Systems account CH-56005-26032 be transferred to Public Works and Traffic account CH-59056-75010.

e) That a budget of $25,000 to the PaRCIL project for the upgrading of equipment be authorized from capital account 5x921-00203, Reserve for Capital Projects.

f) That $421,454.68 in the capital budget account, Reserve for Capital Projects, remaining from the PaRCIL project, be returned to the original source of funding for other projects.

g) That an advisory team to monitor PaRCIL activities on behalf of the City be struck, with membership being the Commissioner of Public Works and Traffic or his designated alternate(s) and the Director of Planning and Development or his designated alternate(s).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The impacts on the capital and current budgets are noted and expanded upon in this report.

BACKGROUND:

A. Project Status

From the City's perspective, Phase I of the PaRCIL Project commenced with the authorization of funding in the amount of $3,225,209 in 1990 October. Phase I is now deemed by PaRCIL to be complete, although from the City's perspective it is unclear as to exactly when that occurred. A memo from Barb Ashenhurst to Alan Ross dated 1995 June 1, indicated that "financial plan identifies that Phase I should be completed in 1995." Conversely the PaRCIL 1995 Annual Report, which was not formally forwarded to the City, suggested a change from the capital funding model for the first six months of 1996 to an operational model for the last six months of 1996. For the purposes of this report, it is assumed that Phase I ended at the end of 1995.

The plan of the PaRCIL Project with regard to the building of basic databases was fairly clear from the outset. However, no firm commitments were made in regard to applications software. The present status is that most of the PaRCIL data, in terms of property and planimetric data, is current only to 1991 or 1992 when the air photography was taken. Despite substantial investigation and discussion, only a few applications have been purchased or developed for City divisions. In addition, the applications which have been created are not particularly useful due to the age of the data. As such, the primary uses of PaRCIL in the City are for initial investigations and presentations graphics. From the City's perspective PaRCIL acts more like a computer-assisted drafting system with a large database of information about the City and Region, than a true geographic information system, in which data is shared between departments to create operating efficiencies.

B. Funding Status

As noted, in 1990, the City approved the capital amount of $3,225,209 which was to spread over 1990, 1991 and 1992. This money was to be set up in such a way that it could be paid back into a reserve and recovered from the involved departments. Three of the six departments initially envisioned as becoming involved, Fire, Building and Property, have never participated in the PaRCIL project.

Initially the City's share of the PaRCIL Project was to be 35% based on the relative participation. In June of 1995, this was revised to 22% when the Region agreed to a revised funding model, based on the smaller number of City departments involved. To the end of 1995, the City's share of project costs was computed to be $2,660,980.86. Since the City had paid the full $3,233,408.72, the rebate owing to the City was

$572,427.86. To date $471,698.91 has been refunded and the City is presently owed $100,728.95.

Subject to the following set of recommendations, it is recommended that the bulk of this account, $421,454.68, be returned to the original source of funding.

C. Revised Relationship

City users have three basic choices at this point in time. They can either (a) continue on in the full partnership in PaRCIL; (b) maintain the status quo by no longer contributing to any further development of the PaRCIL system, but continuing to use the data which is presently available; or (c) exit the project entirely and attempt to set up completely separate hardware and software networks. The involved staff have discussed these alternatives and have concluded that option (b) is the preferred approach at this point in time for the short term. While PaRCIL does not provide the full advantages of a geographic information system, the existing capabilities are of value, and considered worth retaining. Under the new operational model proposed by PaRCIL, the three divisions would be charged a combined cost of approximately $210,000 for 1997 for option (a), while option (b) would have a combined cost of approximately $85,000. Staff do not believe that we are receiving value to the extent of $210,000 from the PaRCIL system at present. As budget allocations are only available for $84,700, the additional cost would come at the expense of staff or other projects, for which there is not justification. Option (c) has been considered and, given that there is infrastructure already in place and that the departments are using the existing facets of PaRCIL, it makes more sense in the short term to retain the existing network and support systems, rather than attempt to replicate them at a cost which might be marginally lower at best. Staff will investigate option (c) for implementation in future years.

It is therefore recommended that the City change the working relationship with PaRCIL from that a full partner to that of a customer and that payment be made only for services directly received in the form of hardware, software, maintenance and support.

D. 1996 Costs

As noted above, Phase I essentially was complete for the City at the end of 1995. PaRCIL originally invoiced the City $210,649.66 for project costs in 1996. Discussions with the PaRCIL Project have resulted in a revision of this cost based on the service/customer model such that the 1996 charges will be $133,566.59. The City has paid $56,460 from existing approved current accounts. It is recommended that the additional $77,166.59 be taken from the outstanding Reserve For Capital Projects, which is the funding source for the PaRCIL project, and which has a present surplus of $572,427.86.

E. 1997 Costs

For 1997 it is recommended that we formally enter into the service/customer model, paying only for service we actually receive.

To monitor this it is suggested that an advisory group comprised of representatives from the three divisions involved in PaRCIL be struck and that PaRCIL operation on behalf of the City be scrutinized to ensure that value is received.

Since August of 1996, replacement of hardware components by PaRCIL has been on hold at the request of the City. Replacement of these components is estimated to cost $25,000 and because of high maintenance and software maintenance contract costs, it is expected that this change will save the City $30,000 per annum. It is, therefore, recommended that the City spend the $25,000 for the hardware replacement given that the payback is greater than the cost.

The infusion of capital will then reduce the annual budget cost for 1998 and subsequent years to less than $80,000. This amount has already been set up in the current budgets for the three departments. However, since the capital expenditures for equipment replacement have not occurred, costs in 1997 will be the same as 1996, $133,566.59 (PaRCIL will likely not deliver the new hardware until close to year end). It is therefore recommended that the difference for 1997 ($48,866.59) be made up from the refunded capital expenditure.

Part of the Traffic current funding is in the Information Systems base, and it is recommended that this be transferred back to Traffic to consolidate the funding.

F. Future Costs

At present, desktop workstations are all owned, and there is no ongoing cost for hardware. In the new arrangement, future hardware replacements will be the responsibility of the user divisions, and will likely be leased. These costs are not included in the current budget at present, but will have to be budgeted for as the existing hardware ages.

G. Updating the Database and Application Software

As noted above, PaRCIL has concentrated on development of databases and the development of applications tools to use the data has lagged. As well, the data in the system has not been updated since the original data collection. As such, the data in the system is under-utilized. As well, because the data is not being used on a day-to-day basis, it is not being updated by the users.

Updating the data was discussed with PaRCIL. There is a commercial venture which can now provide updated property line data. However, the cost to the City is dependent on other partners also entering into an agreement, and could be as much as $50,000 per year for a five-year contract. No business case can be made for this expenditure, even though it would allow much more use of the application software and the PaRCIL system, as it was originally intended to operate.

Each of the involved divisions has one major application, either already developed or easily developed which could be of particular value to staff, other departments, members of Council or the public if the database were updated and some minor programming were done by PaRCIL. The applications are: an improved motor vehicle collision recording system for the Traffic Division, an updated and consolidated inventory of parks for the Parks Development Division, and zoning data development and circularization tools for the Planning and Development Department. However, a business case for these cannot be made in terms of direct reduction in City current budget costs for a PaRCIL application for any of these, so no recommendation has been forwarded in this regard.

HLS/smg

c.c. Allan Ross, Treasurer
Treasury Department

CITY OF HAMILTON

- RECOMMENDATION -

5. (a.)

DATE: 1997 October 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of Onetime Costs - Human Resources/Information Systems

RECOMMENDATION:

(a) That the City's onetime costs of Human Resources Centre - Restructuring in the amount of $85,377 and the Information Systems Department Budget reductions in the amount of $20,529 to a total of $105,906, be financed from the Reserve for Contingency, Account Centre No. CH 00115.

(b) That the Regional Municipality of Hamilton-Wentworth be requested to forward their portion of the onetime severance costs in the amount of $29,471 in relation to the Information Systems Department.

(c) That the base 1998 budget of the Information Systems Department be increased by $83,600 effective 1998 January 1 as recommended by the Sub-Committee set up under Section 1 of the Nineteenth Report of the Finance and Administration Committee adopted by Council 1997 August 26.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

Human Resources Centre

The details of the restructuring and budget base reductions are discussed in the Information Report of Mr. John Johnston, Commissioner of Human Resources dated 1997 September 15 to the Finance and Administration Committee.

Information Systems Department

The details of the restructuring, 1997 budget base reduction of $160,000 and the Sub-Committee's recommendation of the 1998 budget base increase of $83,600 were discussed at the Finance and Administration Committee on 1997, September 23.

Associated with these two initiatives are onetime costs related to employee severances which require funding. The City's share of those costs for these two joint service departments has been determined based upon the breakout of related costs/savings between the two organizations and length of employee service with the two organizations. The resultant costs total $105,906 for the City of Hamilton. It is recommended that these costs be funded from the Reserve for Contingencies.

NRA:jc

c.c. J. G. Pavelka, P.Eng., Chief Administrative Officer
J. G. Hindson, P.Eng., Director of Information Systems
John Johnston, Commissioner of Human Resources

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1997 October 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Lease Renewal- 44 Greendale Drive
Seven Towers Non-Profit Family Day Care Inc.

RECOMMENDATION:

(a) That the Corporation of the City of Hamilton enter into a Lease with Seven Towers Non-Profit Family Day Care Inc., for a vacant parcel of City owned land located directly west of 44 Greendale Drive, containing approximately 583.4 square metres (6,280 square feet) more or less, being Part 2 of Block O on Plan M-66, to be used for access purposes only; and,

(b) That the term be for a period of four (4) years, commencing 1997 December 14 and expiring 2001 April 30, at a rental rate of $800 per year plus any applicable taxes, and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property-Civic Properties Rented); and,

(c) That the Tenant shall have the option to renew the Lease for a further four (4) year period, with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the Lease; and,

(d) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The rental rate of $800 per year plus any applicable taxes, and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property-Civic Properties Rented).

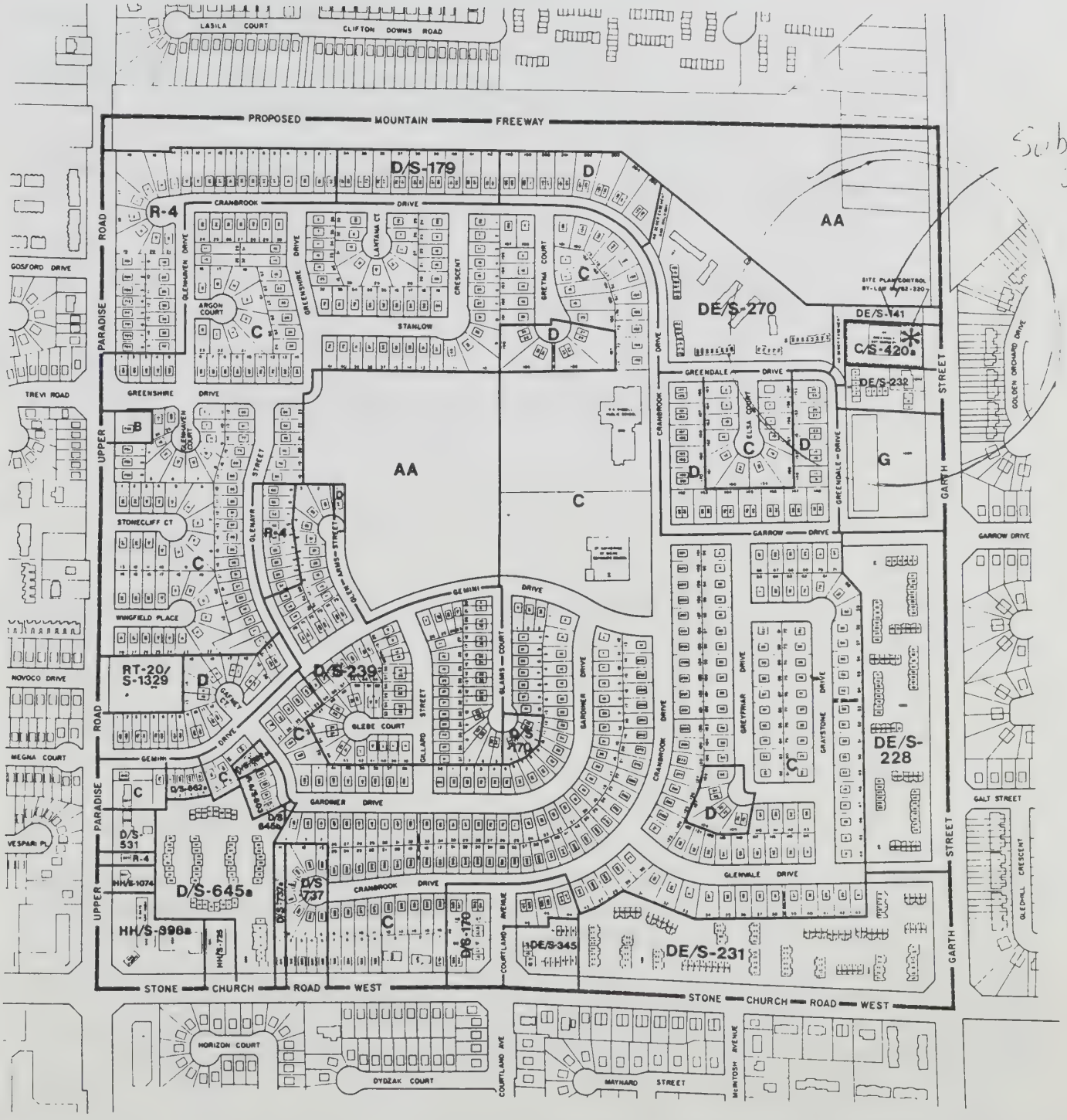
BACKGROUND:

The subject property was conveyed to the City in July 1971 by Ontario Housing Corporation to be developed as subdivision lands. The lands at 44 Greendale Drive was retained by the City for the main sewer which services the subdivision known as Gilkson Gardens and are now subject to a sewer easement in favour of The Regional Municipality of Hamilton-Wentworth.

This property has been leased since 1976 by the City to the Day Care Facility (formerly known as Mini Skools Ltd. and Greendale Nursery Ltd.) for driveway access to their facility at 44 Greendale Drive.

The current owner Seven Towers Non-Profit Family Day Care Inc. approached the City requesting a renewal of the lease for a further four (4) year period and as all payments have been made on time to the Treasury Department, a renewal with an increase from $700 to $800 per year was negotiated with Seven Towers.

RJH/nw
c.c. P. Noé Johnson, City Solicitor
A. Ross Treasurer



* OFFICE USE EXISTS IN CONJUNCTION WITH CHILDREN'S DAY CARE

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 October 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Joseph G. Pavelka, P.Eng
Chief Administrative Officer

John Johnston
Commissioner of Human Resources

SUBJECT: **Workers' Compensation Benefit Coverage for Aldermen (C-019-97)**

RECOMMENDATION:

That all Aldermen of the Corporation of the City of Hamilton, wishing Workers' Compensation Benefit coverage, sign a Personal Coverage Consent Form as issued by the Workers' Compensation Board (copy attached).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Aldermen who apply for coverage are considered workers under the Workers' Compensation Act and shall receive benefits on the same basis as workers. Benefits are paid for lost time and/or medical aid as a result of a workplace injury. Benefits are paid on the basis of individual earnings at the time of accident (1997 maximum coverage $56,100.). Aldermen who take out personal coverage receive compensation benefits and cannot sue for damages in court. Applicants considering personal coverage may wish to consult a lawyer about their particular situation. There is no cost to the corporation unless an Alderman is injured in the performance of his/her duties.

The Region of Hamilton-Wentworth will be considering a similar recommendation for Elected Representatives conducting Regional business.

BACKGROUND:

Until recently, Workers' Compensation coverage has not been extended to Elected Representatives. Current changes made by the Board offer Elected Representatives of Schedule 2 Employers the option to collect Workers' Compensation benefits.

DISCUSSION:

Unlike worker coverage which is automatic, Aldermen must request personal coverage. To apply for personal coverage a completed 'WCB Personal Coverage Consent Form' must be signed and dated by both the applicant and an authorized officer of the Employer. Coverage is effective as of the date of the signed form. The completed consent form should be retained by the Employer (not sent to WCB). Should a workplace injury or disease occur a copy of the consent form must be mailed to the Board along with the completed Form 7 (the Employer's report of injury/disease).

Benefits are **only** payable if the Personal Coverage Consent Form was signed and completed by both the applicant and an authorized officer prior to the date of accident. Benefits will not be paid in the absence of a signed consent form that predates the accident.

Personal coverage remains in effect until the applicant cancels coverage or ceases to work with the Schedule 2 Employer. To cancel coverage, the applicant must write a request to cancel the coverage and forward it to the Employer. Cancellation is effective as of the date of the letter or the date employment ceases with the Employer.

Upon approval by Council, the Human Resources Centre will provide forms to all members of Council giving them the opportunity to elect this coverage.

/st
Attach.

cc. A. Ross, City Treasurer

Workers' Compensation Board
Commissi. des accidents du travail
200 Front Street West
Toronto ON
M5V 3J1

Personal Coverage Consent Form Under Schedule 2

s form should only be completed if personal coverage is requested by the applicant under the Workers' Compensation Act. This form should be retained by the employer. If an accident occurs involving the applicant, a copy of this form must be submitted with the Employer's Report of Injury/Disease (Form 7).

If you are requesting personal coverage please:

- review and sign the Applicant's Personal Coverage Declaration (see below)
- have the Firm's Certification completed and signed (see below)

In the absence of a signed consent form that pre-dates the accident, benefits will not be extended to the applicant.

Applicant's Personal Coverage Declaration (Please print all information)

First Name	Middle Name	Last Name

Date of Birth (e.g. 01JAN1994)	Social Insurance Number	Title

Employer's Name

Employer's Address (This address must be a physical address, not a box number or a general delivery)

City	Province	Postal Code	Area Code Telephone No.
			( )

Please read the following information carefully. It explains how personal coverage changes your status under the Workers' Compensation Act.

nderstand that:

WCB coverage is not compulsory for people considered by the WCB to be executive officers. By applying for personal coverage, I am voluntarily requesting to be considered a worker by the WCB.

- I am giving up my right to sue my employer covered under Schedule 2 of the Workers' Compensation Act or any Executive Officers of my employer for damages sustained in a work-related accident or disease.
- With personal coverage, I am entitled to all benefits due to a worker in the event of a compensable accident/disease and the benefits which I will be entitled to will be in accordance with my earnings at the time of the accident/disease and subject to the maximum rate payable under the Workers' Compensation Act.
- The WCB reserves the right to request proof of my earnings at any time and adjust the amount of coverage requested.
- When requesting coverage, I must sign this form in order to establish coverage and in the absence of a signed consent form that pre-dates the accident, benefits will not be extended to me.
- The effective date for personal coverage will be the date that I and the authorized officer of my employer complete this form.

Applicant's Signature	Applicant's Name (please print)	Date

Firm's Certification

I hereby certify that I am the authorized officer employed by this firm.

I acknowledge that the accident costs associated with any work-related injuries for the above applicant will be applied to the accident record for this firm.

ll retain this signed form in my records and if an accident occurs involving the applicant, I must submit py of this form with the Employer's Report of Injury/Disease (Form 7).

Firm Number

Name of Authorized Officer (please print)	Title (please print)	
Signature	**Area Code Telephone Number**	**Date Completed**
	( )	

CITY OF HAMILTON

- RECOMMENDATION -

8.

DATE: 1997 October 9

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: R.L. Fair
Director of Culture & Recreation

SUBJECT: Extension of Existing Contract with Honeywell Ltd. - Building Controls & Automation Maintenance

RECOMMENDATION:

(a) That the City exercise its renewal option for the period ending December 31st, 2000, and establish a purchase order with Honeywell Limited of Hamilton which for 1998 will be in the amount of $359,108.05 inclusive of GST ($23,493.05) for maintenance services (parts & labour) of the building automation and control systems within various City buildings, this being the only acceptable quotation received in accordance with the specifications issued by the Purchasing Division, Ref: C14-4-95; and,

(b) That the contract prices be reviewed and adjusted annually, if appropriate, for years 1999 through to and including 2000 according to the publicly issued pricing indexes referred to in Schedule "B" of the Agreement; and,

(c) That the City Solicitor be authorized and directed to amend the existing Agreement which would otherwise expire December 31, 1998 accordingly; and,

(d) That an Open Order be established with Honeywell Limited for labour & materials beyond the scope of the maintenance agreement according to the attached schedule of rates.

R. L. F.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The above contract amount to be funded from the following Culture & Recreation Department accounts:

City Hall	CH 57108 31102	$ 27,610.
Copps Coliseum[1]	CH 57108 46035	$126,368.
C.U.P.[2]	CH 57108 46001	$ 46,532.
Parking Authority[1]	CH 57108 46030	$ 22,381.
Convention Centre[1]	CH 57108 46060	$ 44,075.
Hamilton Place[1]	CH 57108 46045	$ 18,204.
Library[1]	CH 57108 31315	$ 28,042.
Market	CH 57108 31310	$ 4,949.
Chedoke Twin Pad	CH 57108 31137	$ 17,454.

The above breakdown is exclusive of GST.

(1) **Amounts fully recovered from H.E.C.F.I., Library and Parking Authority Boards.**

(2) **Partially (36%) recovered from Art Gallery, Ontario Government Building & Parking Authority.**

For the purpose of determining price adjustments in years beyond the initial quotation years (1996 & 1997), the contract value was agreed to be comprised of 75% labour and 25% materials. Beginning 1998 January 1 and yearly thereafter, the previous year base value will be adjusted (either up or down) based on the following published indexes:

Labour	Local 787 Journeyman Labour Rates
Materials	Wholesale Price Index as per Statistics Canada

Therefore, based on the above noted indexes, the 1998 increase is 1.95%.

According to the existing Agreement, the City maintains the option to extend for one additional three year term commencing January 1, 2001 with any price adjustments according to the price indexes referred to in Schedule "B" of the Agreement.

BACKGROUND:

A number of the City owned buildings in the downtown core and the Chedoke Twin Pad Arena have been constructed or retrofitted to include sophisticated building automation controls for the heating, ventilating and air conditioning systems, and also the life safety systems. Collectively these automated systems facilitate the safe and efficient operation of the equipment controlling the environment within these buildings. This equipment requires routine inspection and periodic servicing to ensure its continued reliable operation. The vast majority of the components requiring servicing within these facilities are original and manufactured by Honeywell Limited. When the initial construction or retrofit was originally tendered as per the City's Purchasing Policy, Honeywell Ltd. was the lowest bid received.

Due to the incompatibility of systems, it is difficult for Honeywell's competitors (Johnson Controls, Landis & Staeffa, Barber-Coleman) etc. to be competitive for this service. However, engineering studies have commenced to determine a strategy for upgrading the building automation control systems within the downtown core facilities to a new industry standard, Building Automation & Control Network (BACNET), which will facilitate an "open" system concept permitting various manufacturer's devices to communicate with each other. This will promote a more competitive bidding environment for this service in the future.

In response to the specifications issued by the Purchasing Division Ref: C14-24-95, one acceptable quotation was received. Honeywell Limited has been providing service to the City of Hamilton since 1960 and has been doing so to the satisfaction of staff. The proposal submitted by Honeywell in 1996 in response to the tender was cost competitive (approximately 6% decrease over 1995 with no escalations until 1998) and provides for a fair and equitable means for any future (beyond 1998) cost escalation as well as the addition or deletion of serviceable devices.

RLF/rd

cc. P. Noé Johnson, City Solicitor, Law Department
Attention: Phil Hooker
A. Ross, City Treasurer, Treasury Department
Attention: John Krochak
T.J. Fehr, Building Operations & Maintenance
R. Desnoyers, Building Operations & Maintenance

MISCELLANEOUS RATES	1998	1999	2000
Hourly Rate	$_____	SEE BELOW $_____	$_____
Overtime Rate	$_____	$_____	$_____
Truck Expense	$_____	$_____	$_____
Mileage Mi/km	$_____/	$_____/	$_____/

Overtime Commences: _____

Other charges, please specify _____

_____

	1998	1999	2000
REFRIGERATION	$65.00	$65.00	$65.00
PNEUMATIC FITTER	65.00	65.00	65.00
ELECTRICIAN	65.00	65.00	65.00
AUTOMATION TECHNICIAN	90.00	90.00	90.00
OVERTIME AT	1.5		
TRUCK EXPENSE	N/C		
MILAGE	.50 /km		

Authorized Signature

Alan R. Simmons
Please Print Name

905 573-4591
Telephone Number

Oct 1, 1997
Date

905 573-4595
FAX Number

NOTE: PRICES SHOWN ABOVE ARE SUBJECT TO INCREASE OR DECREASE ACCORDING TO SCHEDULE "B" OF CONTRACT

9.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
Office of the City Clerk

OUR FILE:
PHONE: 546-

SUBJECT: Referral back - Appointment of City's Insurance Brokers of Record

DATE: 1997 October 15

This will confirm that City Council, at its meeting held Tuesday, 1997 October 14th, agreed to refer back Section 11 of the Twenty-First Report for 1997 of the Finance and Administration Committee as follows:

11. (a) That J&H Marsh & McLennan, Limited be appointed as the City's Insurance Brokers of Record responsible for the City's complete insurance portfolio and related risk management services for a three year term from 1997 October 15 to 2000 October 15 (subject to annual review by the City Solicitor);

(b) That the Mayor and City Clerk be authorized to execute the contract, satisfactory to the City Solicitor in respect of the broker appointment.

(c) That J&H Marsh & McLennan, Limited be authorized to initiate a remarket of the City's insurance portfolio upon specifications and deductibles set out by the City Solicitor for consideration by Council on or before 1997 November 25; and,

(d) That the City Solicitor be authorized to obtain quotations for consideration by Council of Public Official's Liability Insurance for consideration on or before 1997 November 25.

Would you please ensure that this matter is placed before the Finance and Administration Committee.

cc P. Noe Johnson, City Solicitor
A. Ross, Treasurer
D. Lobo, Commissioner of Public Works and Traffic

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Appointment of City's Insurance Brokers of Record

RECOMMENDATION:

a) That J&H Marsh & McLennan, Limited be appointed as the City's Insurance Brokers of Record responsible for the City's complete insurance portfolio and related risk management services for a three year term from 1997 October 15 to 2000 October 15 (subject to annual review by the City Solicitor);

b) That the Mayor and City Clerk be authorized to execute the contract, satisfactory to the City Solicitor in respect of the broker appointment.

c) That J&H Marsh & McLennan, Limited be authorized to initiate a remarket of the City's insurance portfolio upon specifications and deductibles set out by the City Solicitor for consideration by Council on or before 1997 November 25; and

d) That the City Solicitor be authorized to obtain quotations for consideration by Council of Public Officials' Liability Insurance for consideration on or before 1997 November 25.

P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The appointment of J&H Marsh & McLennan will cost $48,600 for 1997; $43,200 for 1998, and $43,200 for 1999 (total over three years $135,000). These costs are funded from Centre ~~2410~~1. The elimination of one broker from the present two broker system will result in cost

24108

App'd by Committee 1997 Oct. 9
referred back,
~~App'd~~ by Council 1997 Oct. 14

savings of a minimum of $41,570 per year (a three year savings of $124,711.20; being the lowest broker proposal). Further, having a single broker will increase the City's leverage on the soft insurance market and will create a focused risk management approach towards both the property and liability segments of the City's portfolio.

BACKGROUND:

On 1993 October 26 Council, in adopting Item 18 of the 12th Report of the Finance & Administration Committee, approved the appointment of the City's insurance brokers of record: Alexander & Alexander Reed Stenhouse (property insurance requirements; that company is now AON Reed Stenhouse Inc.) and Johnson & Higgins Ltd. (liability insurance needs; that company is now J&H Marsh & McLennan, Limited). The appointments began on 1993 December 1 1993 and were to run for a three year period. These appointments were extended by Council in order to incorporate into the insurance remarket recommendations from Sobeco Ernst Young regarding deductibles and the like. Further, it was determined that severing the consideration of brokers from that of the insurance programme would have significant benefits in broadening the focus of the proposal beyond insurance placement to the increasing risk management assistance role of our brokers.

Major qualified brokers, through their expertise, have enabled the City to create an effective insurance portfolio with a view to cost of risk and the implementation of a risk management programme. The benefits of the independent broker process which was initiated by the Treasury Department in 1993 include, but are not limited to: the review and advice with respect to the internal claims process; loss prevention engineering through site audits; the close monitoring on our behalf of the financial security and integrity of our insurance companies; and day to day assistance in respect to appropriate insurance limits and contract wording. In January of 1994, the insurance placement and risk management responsibilities were transferred to the Law Department. While there has been significant movement in the City's insurance programme, this is an ongoing process of amelioration. Initiatives to be completed and continued are:

1. the quotation and placement of Public Officials' Liability Insurance to both provide errors and liability coverage not previously in place and to consolidate present association and E&O coverage in place for the Library Board and HECFI. It is recommended that the remarket include such coverage which is to be considered for the upcoming insurance year;

2. a review of the City's claims procedures and the investigation and acquisition of a data system for both claims and risk management acceptable to the City and its insurers;

3. continuation of the site audit process whereby risk engineering staff from the brokerage firm provide analysis and guidance to us with respect to property and liability exposures present at City facilities.

During the summer of this year, staff from the Treasury and Law Departments initiated the

broker request for proposal. The close of proposals occurred on 1997 September 22 with the result that the City received proposals from four brokerage firms: Dalton Timmis Insurance Group, Jardine OME Limited, Johnson & Higgins Marsh & MacLennan Limited (the City's current liability brokers) and Aon Reed Stenhouse (the City's present property brokers). Interviews were conducted with the four candidate firms by staff from the Law Department and their proposals were closely reviewed. A discussion of the their proposals and staff's recommendation follows:

DISCUSSION:

Requirements set out in the City's Proposal Document (Ref No.: C12-197) were for the following services:

1. Basic services re: advice on renewal of policies
2. Assistance in review of internal risk management procedures and the preparation of safety manuals and systems
3. Conduct of annual safety audits at facilities throughout the City

The four brokerage firms that submitted proposals were given an opportunity to provide presentations to staff. The results from their proposals and presentations (inclusive of all applicable taxes) are as follows:

	1997	1998	1999	Total
J&H Marsh & McLennan (hereinafter referred to as J&H)	$48,600	$43,200	$43,200	$135,000
AON Reed Stenhouse Inc. (hereinafter referred to as AON)	$54,435	$54,435	$56,595	$165,465
Dalton Timmis Group, Inc. (hereinafter referred to as Dalton)	$41,570.40	$41,570.40	$41,570.40	$124,711.20
Jardine OME Ltd. (hereinafter referred to as Jardine)	$61,380	$56,380	$56,380	$174,140

The proposals were further evaluated in order to determine whether the brokers could perform the services required by the City as set out in the proposal document. As well there was a review of the service records of our existing brokers. The proposal document provided that the successful broker must be qualified and able to continue the service requirements of the past including: summaries of policies; premium allocations for internal purposes; comment on market conditions and trend forecasting; claims advice (the successful broker because of the City's size and claims frequency is required to have an internal claims department); review of internal risk management procedures; annual safety audits (the successful broker is required to have an internal engineering staff to provide hazard recommendations); risk training and

seminars for staff; and access to municipal liability experience and trends as well as a strong market presence in order to ensure reasonable premiums for the coverages required.

Further, as the City moves forward in its risk management practices, it is required of the successful broker that advice and recommendations be given in respect the City's claims procedures and the acquisition of data system. For that reason, a major broker with an internal information systems group with the necessary insurance focus is required. The successful broker will be also be involved with the City's request for proposal process for a claims adjusting firm.

Accordingly, after looking at all of the above requirements and the strengths and weaknesses of each of the proposal firms as well as their related fees, it is recommended that the City consolidate its property and liability brokerage needs with J&H Marsh & McLennan, Limited for the following reasons:

1. Market Strength: J&H, since its merger with Marsh & McLennan, is the largest broker worldwide, operating in over 80 countries. Given its size and the premiums placed per year and its market access to approximately 200 markets, it is expected that the City's aggressive premium quotations will continue. AON (the City's current Property broker) is of similar size (the largest broker in Canada) and could provide similar market clout. Both Jardine and Dalton are both smaller brokerage firms with access to fewer markets, with a tendency to focus on certain insurance companies (Dalton - Frank Cowan Company; Jardine - OMEX) rather than a broader access.

2. Past Performance: J&H has provided consistent service to the City over its past tenure and has been responsive to the City's turnaround time requirements. The responsiveness of AON has not been as consistent and while there has been an improvement in recent months with a change in our account executive, there has been a significant lack of responsiveness and flexibility. Further, there has not been the same "value for money" experience with AON. It is noteworthy that their quotation is $30,465 higher than J&H.

3. Claims Review and Data System: J&H is in a position to provide through its internal information systems group and the internal claims department, significant and needed services in respect of appropriate functions and reports of a data system. Their input may include working with Information Systems on the present system or assistance in the investigation of other data systems. Further J&H, as the City's present liability brokers, are familiar with the present reports produced and the type and frequency of our claims experience. While AON too has an inhouse systems group, the costs are higher. Neither Dalton nor Jardine has such services inhouse and would have to obtain outside expertise in this regard.

4. Site Audits: One of the specified requirements of the qualified broker was the existence of an inhouse engineering department to provide liability and property risk audits of City sites. Jardine, AON, and J&H are in a position to provide these services

themselves while Dalton would require the services of an outside firm. The services of both Jardine and AON are more costly than those of J&H. Further, J&H has experience with the City having already performed such audits on our facilities (including a general overview audit in 1994; an audit of the Chedoke Twin Pad Arena; an audit of the Mohawk Sports Park Skate Board ramp).

5. Municipal Experience: While all of the firms have experience with municipalities, only AON and J&H have experience with numerous like sized municipalities. Jardine for the most part deals with much smaller rural municipalities and has much fewer resources. The same argument may be made of Dalton who while having a local advantage is not yet of a size to provide all of the services required inhouse. Further Dalton may have conflict situations arise as they are presently the brokers for the Region. Given the City's past positive experience with J&H and that of their other clients, it is recommended that the City retain J&H for its entire insurance programme.

In summary, J&H is recommended by staff because of their positive service record with the City. Given their stature in the broker community and service to like-sized municipal corporations, their fee quotation is considered to be reasonable, although not the least expensive. Amalgamating the property and liability sides of the portfolio with J&H will benefit the City in creating a focused approach to the insurance markets and in our risk management approach as well as resulting in the significant cost savings to the corporation outlined above. Further, continuing with J&H, there will be no learning "downtime", thereby preserving a continuity in the City's risk management and insurance placement process.

cc. A.C. Ross, Treasurer
D. Lobo, Commissioner of Public Works & Traffic

10.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 October 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng.
Chief Administrative Officer

W.H. Shoemaker
Fire Chief

SUBJECT: Joint Emergency Preparedness Program (JEPP)

RECOMMENDATION:

(a) That the City of Hamilton submit an application through the Joint Emergency Preparedness Program (JEPP) for funding to revise the City of Hamilton Emergency Preparedness Plan.

(b) That the Treasurer recommend the method of financing the gross cost of $66,667 anticipating that the JEPP funding will contribute $30,000.

W. Shoemaker J.G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The cost-sharing formula is 55/45 for the JEPP program which means that the municipality funds 100% of the project and claims 45% of the funding in arrears through JEPP.

In addition to the basic cost sharing formula, there are limits placed on the amount of funding available through JEPP. For the project that is being proposed, the City of Hamilton would be eligible for a base amount of $5,000 plus one-quarter of a community population to a maximum of $25,000. To obtain the maximum amount of grant funding, the City is proposing to submit a project application in the amount of $66,667.

DISCUSSION:

A recent review of the City's Emergency Preparedness Plan confirms that there are opportunities to update the plan. Substantial technological changes such as the Radio Trunking that have recently been introduced to Hamilton and Hamilton-Wentworth confirm the modifications to the original plan approved on 1986 May 13.

Recognizing the potential impact of such an emergency preparedness plan on significant institutions in the community such as the Health Sciences Corporation, the School Board, McMaster University, Mohawk College and the Correctional Services facility, the updating of this Plan should involve these institutions as potential participants.

The Joint Emergency Preparedness Program (JEPP) is a national program initiated by the federal government in 1980 and is designed to enhance the national emergency response capability. The aim of the program is to establish a reasonably uniform level of emergency services across the country. The program is a joint undertaking between the federal government and the provinces, and it is administered by Emergency Preparedness Canada (EPC).

The types of projects eligible for JEPP funding are identified through selection criteria that are applicable every year, and through national priorities identified annually by EPC in concert with the provinces and territories. For 1998/1999, EPC has established the following four national priorities: training and education; telecommunications; proto-typical initiatives; and urban search and rescue. Project proposals must have sponsorship of a municipality or community and must be supported by Emergency Measures Ontario (EMO) to be considered by the JEPP program. According to the criteria established by EMO and used to place project proposals in a list that depicts relative priority, projects to write or revise a municipal emergency plan receive the highest priority.

One of the recommendations resulting from the debriefing sessions held by the Emergency Operations Control Group after the recent Plastimet fire was the need to update the emergency plan for the City of Hamilton. Given this need, it is proposed that the City of Hamilton obtain grant funding for the JEPP program to undertake the appropriate process and consultation to develop a comprehensive emergency plan. Further, the project will also involve the training of all members of the Control Group in their respective roles as outlined in the emergency plan.

JGP/WHS/so

cc A. Ross, Treasurer

c:\w\storage\f&a\jepp.rec

CITY OF HAMILTON

- RECOMMENDATION -

10.(a.)

DATE: 1997 October 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of Joint Emergency Preparedness Program (JEPP)

RECOMMENDATION:

That the cost of revising the City of Hamilton Emergency Plan at a net City cost of $36,667 (gross cost of $66,667 less cost sharing arrangement of $30,000 from an application through the Joint Emergency Preparedness Program) subject to the Committee approval, be funded from the Reserve for Contingency, Account Centre No. CH 00115.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

The details of the program are outlined in the recommendation letter of J.G. Pavelka, Chief Administrative Officer and W.H. Shoemaker, Fire Chief, dated 1997 October 15 to the Finance and Administration Committee. The net City's Share of this plan require a funding in the amount of $36,667. It is recommended that the required funding be allocated from the Reserve for Contingency.

NRA:jc

c.c. J. G. Pavelka, P.Eng., Chief Administrative Officer
Wesley H. Shoemaker, Fire Chief

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1997 October 21
1:30 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held on Tuesday, 1997 October 7th

B. GRANTS CO-ORDINATOR

1998 Grant Applications and Policies

C. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

A.

Tuesday, 1997 October 7
1:30 o'clock p.m.
Room 233, City Hall

The Finance and Administration Committee met.

Present:	Alderman B. Charters, Chairman Alderman D. Ross, Vice-Chairman Robert M. Morrow Alderman D. Wilson Alderman C. Collins Alderman M. Kiss Alderman V. Agro Alderman T. Anderson
Regrets:	Alderman D. Drury - other business
Also Present:	Alderman H. Merling Alderman W. McCulloch J. Pavelka, Chief Administrative Officer A. Ross, Treasurer P. Noé Johnson, City Solicitor J. Schatz, City Clerk M. Watson, Real Estate Division, City Clerk's Department R. Fair, Director of Culture and Recreation J. Hindson, Director of Information Systems M. Mascarenhas, Housing B. Desnoyers, Culture and Recreation P. Lampman, Building Department P. Hooker, Law K. Beattie, Treasury J. Davidson, Law T. Bradbury, Treasury C. Mascarenhas, Treasury Susan K. Reeder, Secretary

A G E N D A

3. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) City of Hamilton -ats- Giammichele; Ontario Court (General Division) Action #21938/90

(a) That the City decline to accept the Plaintiff Offer to Settle Ontario Court (General Division) Action #21938/90 by the payment to the Plaintiffs, Maria and Rose Giammichele, of the sum of $135,132.42 inclusive of all claims for damages, interest and costs; and,

(b) That the City Solicitor be directed to proceed with this matter to a Pre-Trial hearing and to report back to the Finance and Administration Committee thereafter.

(ii) City of Hamilton -ats- Morski; Ontario Court (General Division) Action #33360/92

(a) That the City resolve Ontario Court (General Division) Action #33360/92 by the payment to the Plaintiff, Hermina Morski, of the sum of $3,500 including all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action #33360/92 be dismissed without costs.

(iii) City of Hamilton -ats- Pellegrino; Ontario Court (General Division) Action #12480/96

(a) That the City resolve Ontario Court (General Division) Action #12480/96 by the contribution of the sum of $1,000, inclusive of all claims for damages, interest and costs, to the sum of money being paid to the Plaintiff Giovanna Pellegrino; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action #12480/96 and all crossclaims in the action be dismissed without costs.

DELEGATIONS - 2:00 O'CLOCK P.M.

1. Michael Wiggin - Natural Resources Canada - Presentation on District Energy and Information pertaining to their Project

Michael Wiggin, of Natural Resources Canada, spoke to the Committee respecting a District Energy Feasibility Study. Copies of a booklet entitled "The District Energy Option in Canada" were circulated by Mr. Wiggin.

(a) That the City of Hamilton provide funding in the amount of $6,250 toward the $25,000 cost of a District Energy Feasibility Study being conducted in Hamilton by Natural Resources Canada, which is contributing $12,500 to the Study and for which the Region of Hamilton-Wentworth is contributing $6,250; and,

(b) That funding for this contribution be financed from Centre CH24201 - Unclassified; and,

(c) That the parties jointly endeavour to structure the Project so that funds invested are recovered upon completion of Project financing; and,

(d) That the Director of Culture and Recreation be authorized to develop a strategic plan for the renewal of the district heating concept for the City of Hamilton in consultation with other public and private sector stakeholders; and,

(e) That the Director of Culture and Recreation report back to the Committee of the Whole during the Capital Budget process.

2. Representatives from James Street Baptist Church

Mr. Don Berry-Graham and Mrs. Marlene Thomas-Osbourne spoke to the Committee on behalf of the James Street Baptist Church. They indicated that the Church is undergoing financial difficulty right now, and are concerned about their inability to pay the Community Heritage Loan they have with the City.

Some discussion ensued on this matter, and it was agreed that this matter should be referred to staff for a report back to the Committee with the details of the loan referenced by the delegation. It was also noted that when this staff report is brought back to the Committee, that representatives of the James Street Baptist Church would be invited to attend the meeting.

4. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1997 September 23rd, and approved these minutes as circulated.

B. TREASURER - Land Acquisition - Part of 337 Centennial Parkway North - Financing

The Committee was in receipt of a report from the Treasurer dated 1997 September 25, respecting the above noted matter.

The Committee approved the following:

> That as referred to in Section 5 of the Ninth Report for 1997 of the Transport and Environment Committee approved by City Council on 1997 August 26th, that the cost of land acquisition know as part of 337 Centennial Parkway North in an amount not to exceed $16,200 be financed from the Reserve for Services Through Unsubdivided Lands, Account Centre No. CH 00107.

C. HAMILTON PUBLIC LIBRARY BOARD - Closure of Hamilton Public Library Board Capital Projects

The Committee was in receipt of a report from the Chief Executive of the Hamilton Public Library dated 1997 September 17, respecting the above noted matter, and approved the following:

> That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
CF 919051011	Library-Automation/Collection Access Phases 2-5	$181,000	$181,000	$0
CF 919151018	Office Automation-1991 Phase	$75,000	$75,000	$0
CF 919151019	Automation/Collection Access-Phase 3	$223,000	$223,000	$0
CF 919241004	Central Library First Floor Renovations	$542,000	$541,841	$159
CF 919251008	Automation & Collection Access- Phase IV	$90,000	$90,000	$0
CF 919251009	Office Automation (1992)	$84,000	$84,000	$0
CF 919351011	Automated Collection Development - Phase 5	$67,000	$67,000	$0

D. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Correspondence - FCM National Board of Directors - Call for Resolutions - memo dated 1997 September 15th

(b) Correspondence - Ontario Handgun Association - letter received 1997 September 17th

5. ALDERMAN D. WILSON - Public unassumed alleys

Alderman Wilson spoke to the Committee about public unassumed alleys and in particular, the maintenance of these alleyways and present uses. Alderman Wilson requested that a staff Task Force be struck to review this matter, with a view to exploring the viability of closing the City's unassumed alleys. The Committee agreed that staff should review this issue and report back.

6. CITY CLERK - Changes to the Standing Committee and City Council Meeting Schedule

The Committee was in receipt of a report from the City Clerk dated 1997 October 3, respecting the above noted matter.

The Committee approved the following:

That in recognition of the upcoming Municipal Election and the subsequent Inaugural Meeting that the following changes to the Standing Committee and City Council Meeting Schedule be implemented:

(a) That the first set of Standing Committee and City Council meetings in November be cancelled; and,

(b) That the meeting schedule for 1997 December be amended to reschedule the Standing Committees to the week of 1997 December 8th at dates and times to be co-ordinated with the Regional meeting schedule; and,

(c) That the 1997 December City Council meeting be held at 2:00 o'clock p.m. on Tuesday, 1997 December 16th (same day as Regional Council).

7. **REFERRAL FROM CITY COUNCIL - 1996 Hamilton Harbour Commissioners Annual Report**

The Committee was in receipt of a memorandum from the City Clerk dated 1997 October 3, respecting the above noted matter.

The Committee agreed to receive this document for information purposes.

8. **GRANTS CO-ORDINATOR - Requested Information Report - Outstanding 1997 Capital Grant Requests**

The Committee was in receipt of a report from the Grants Co-Ordinator dated 1997 October 3, respecting the above noted matter.

The Committee approved the following:

That excess or surplus capital financing identified during 1997 through the closure of capital project accounts and allocated to the Reserve for Capital Projects Account Centre CH 00203, be used as the source of funding for the following capital grants for a total amount of $99,920:

(a)	MacNab Street South Y.W.C.A. (to repair exterior brick veneer)	$ 60,000.
(b)	Hamilton Jewish Home for the Aged, Shalom Villa (to reimburse the Villa for City Development Charges)	$ 4,920.
(c)	Hamilton Filipino Community Centre (to be used in the restoration of the building)	$ 12,500.
(d)	Portuguese Community Centre (continuation of funding program from previous years)	$ 12,500.
(e)	Hamilton Victoria Curling Club (to offset cost of repairs and replacement of equipment)	$ 5,000.

(f) The English-Speaking Union of Canada
(relocate operations in Hamilton) $ 5,000.

Some discussion also ensued with respect to the present use of the Lakeland Community Centre by a number of community agencies, and the repair work needed for that building. Some discussion was also given on what the Conservation Authorities long term plans might be for the land where the Community Centre is built. It was agreed that this matter should be tabled in order for the user groups of the Community Centre to be given an opportunity to come in to discuss this issue, as well as for comments to be received from the Conservation Authority on its long term plans for the land.

9. **CHIEF ADMINISTRATIVE OFFICER - Analysis of Soil Samples from City of Hamilton Park Site**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 September 26, respecting the above noted matter. With respect to the funding, the Treasurer advised that funds for this expenditure could be financed from the Unclassified Account.

The Committee approved the following:

(a) That the actions of the Chief Administrative Officer be approved in arranging for the Ministry of Environment and Energy to conduct the analysis on sixteen soil samples collected from public parks areas for the presence of PAH (Polycyclic Aromatic Hydrocarbons) at a cost of $5,600.; and,

(b) That funding for this expenditure be financed from Centre CH24201 - Unclassified.

ADDED - MAYOR MORROW - CONTAMINATED PRIVATE PROPERTIES IN THE NORTH END

Mayor Morrow gave reference to a circumstance of a property where contaminants had been found by the Ministry of the Environment and Energy on private property, which were adversely affecting a sale which had been in place prior to the Plastimet Fire. It was agreed that this matter should be reviewed by staff and a report brought back to the Committee.

10. **DEVELOPMENT CHARGES STAFF SUB-COMMITTEE - Development Charges Act - Complaint; 271 Jackson Street West**

The Committee was in receipt of a report from the Chairman, of the Development Charges Staff Sub-committee dated 1997 October 1, respecting the above noted matter.

The Committee approved the following:

That after hearing the evidence and submission of the complainant, Norm Westbury, for Hamilton Habitat for Humanity, the Council of the City of Hamilton hereby refunds the development charges imposed on the property located at 271 Jackson Street West pursuant to City of Hamilton Development Charges By-law 95-176 in the amount of $1,592.05.

11. CITY SOLICITOR - Appointment of City's Insurance Brokers of Record

The Committee was in receipt of a report from the City Solicitor dated 1997 September 29, respecting the above noted matter, and approved the following:

(a) That J&H Marsh & McLennan, Limited be appointed as the City's Insurance Brokers of Record responsible for the City's complete insurance portfolio and related risk management services for a three year term from 1997 October 15 to 2000 October 15 (subject to annual review by the City Solicitor);

(b) That the Mayor and City Clerk be authorized to execute the contract, satisfactory to the City Solicitor in respect of the broker appointment.

(c) That J&H Marsh & McLennan, Limited be authorized to initiate a remarket of the City's insurance portfolio upon specifications and deductibles set out by the City Solicitor for consideration by Council on or before 1997 November 25; and,

(d) That the City Solicitor be authorized to obtain quotations for consideration by Council of Public Official's Liability Insurance for consideration on or before 1997 November 25.

ADDED - MAYOR MORROW - INCREASE OF HOURS TO 4 DOWNTOWN LOTS

Mayor Morrow spoke to the Committee about the recent increase of hours to 11:00 o'clock p.m. of 4 Parking Authority lots in the Downtown area. It was indicated that businesses in the downtown see this as an effort by the Parking Authority to recoup losses from the recent Free Parking in the Eaton's Parkade.

.. The Committee agreed that the Parking Authority be requested to hold a Special Meeting to review this matter and the concerns being expressed.

ADDED - ALDERMAN MCCULLOCH - 2 HOURS OF FREE PARKING IN THE DOWNTOWN AT MUNICIPAL AND PRIVATE PARKING LOTS

Alderman McCulloch spoke to the Committee about the letter sent to the Mayor and members of Council from the Downtown Hamilton Business Improvement Area on 1997 September 18th respecting a Proposal for free parking in downtown Hamilton.

Following discussion, it was agreed that this matter be referred to staff for a report back to the October 21st meeting on the costs to extending the 2 hours of free parking at the Eaton's Parkade to the downtown area as well.

12. TREASURER - Presentation - Update - Current Value Assessment

The Treasurer gave a presentation respecting an update on Current Value Assessment Analysis and Legislation. A Copy of a News Release from the Ministry of Municipal Affairs and Housing entitled "Municipalities get more detail on local WDW numbers" which was released on 1997 October 6th was circulated.

A document entitled "Speaking notes for Minister Al Leach, Association of Counties and Regions Conference in Sudbury on 1997 October 6th" was also circulated.

The Committee agreed to receive this presentation and the above noted documents for information purposes.

13. OTHER BUSINESS

14. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 October 7

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 October 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. Kevin Beattie
Grants Co-ordinator

SUBJECT: 1998 Grant Applications and Policies

RECOMMENDATION:

The Grants Process Group respectfully recommends the following:

a) That the 1998 General and Convention/Reception Grant Applications and Policies be made available to potential applicants with an extended deadline of 1998 January 5 (due to the Christmas Closure of City Hall December 25-January 2 inclusive) for the General Grant Applications;

b) That the process for reviewing and approving all 1998 general grant applications and the process for the Convention/reception Grants be considered as soon as possible by the Finance and Administration Committee with the new term of Council.

D Kevin Beattie

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1997 total grants budget is $382,890.

There are no financial implications with respect to making the 1998 grant applications available, beyond postage and in-house copying which can be accommodated within the appropriate accounts. The existing policy has provision for a funding formula which allows for changes in the grants funding to the extent of the assessment change, (in 1997 this translated into a $1,540 decrease. The base budget for 1998 will be adjusted accordingly.

BACKGROUND:

Annually the grant applications for the upcoming year are made available at this time to facilitate a consistent deadline for the submission of the general grant applications. Due to City Hall being closed for Christmas, the recommendation is to extend the deadline for a week to January 5 1998.

On a request basis, general grant application forms are mailed out along with the policy. A workshop is planned to be held in December to assist with the completion of the application and to respond to any questions. This format is consistent with the availability of the 1997 grants.

Historically the general grants process has been reviewed annually. With a new Council, it is proposed that the process for both the General and Convention/Reception grants be reviewed by the Finance and Administration Committee as a fresh look with the new Council term.

C.

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 October 17th

REPORT TO: Alderman B. Charters, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - City Solicitor - MacDonald Marina v. City - Pre-Trial Conference Results - report dated 1997 October 10th

(b) Correspondence - City of Vaughan - Resolution from the City of Hamilton - Plastimet Inc. Fire - Request for Public Inquiry - letter dated 1997 September 18th

(c) Correspondence - Regional Clerk's Office - Regional Council appointee - Task Force - 1997 Base Budget Reductions for the Information Systems Department - letter dated 1997 October 8th

(d) Correspondence - City of Toronto - Charging a Fee to Recover the cost of recycling and garbage collection of alcoholic beverage containers and other non-refundable beverage containers - letter dated 1997 October 8th

(e) Information Report - Treasurer - Update on the Who Does What Announcements - report dated 1997 October, 15th

(f) Correspondence - City of Kitchener - Charitable Gaming Clubs in Ontario - letter dated 1997 October 2nd

(g) Information Report - Commissioner of Human Resources - Appointments to and Terminations from permanent Positions with the Corporation of the City of Hamilton - report dated 1997 October 10th

Susan K. Reeder.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

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FINANCE AND ADMINISTRATION COMMITTEE

Wednesday, October 22, 1997
(Lunch Served at 11:30 a.m.)
Meeting Directly following Operations Committee Meeting
HAMILTON PLACE Board Room

URBAN MUNICIPAL

ORDER OF BUSINESS
AGENDA

DEC 11 1997

DECLARATION OF CONFLICT OF INTEREST

GOVERNMENT DOCUMENTS

1. Chairman's Remarks

ACTION ITEMS

A. ***Standing Committee and Board Meeting Schedule : Changes due to Municipal Election*** — ***Attachment A***

INFORMATION ITEMS

2. **Correspondence** — Nil

3. **Minutes of Finance and Administration Committee Meeting Held September 18, 1997** — Attachment 3

   3.1 Errors or Omissions
   3.2 Motion for Approval

4. **Business Arising From the Minutes**

5. **Reports**

   5.1 Financial Summary for the Nine Month Period Ended September 30, 1997 — Attachment 5.1
   5.2 Status Report on H.E.C.F.I. Revenue for the Nine Month Period Ended September 30, 1997 — Attachment 5.2

6. **Private and Confidential**

7. **New Business**

8. **Other Business**

9. **Date of Next Meeting:** *TBA*

10. **Adjournment**

OUTSTANDING BUSINESS
Nil

Patricia Bennett
Legislative Assistant
October 16, 1997

A.

MEMO TO: **MARKETING AND SALES COMMITTEE**
OPERATIONS COMMITTEE
FINANCE AND ADMINISTRATION COMMITTEE

FROM: Gabe Macaluso
Managing Director/CEO

DATE: October 14, 1997

SUBJECT: **STANDING COMMITTEE AND BOARD MEETING SCHEDULE : MUNICIPAL ELECTION**

RECOMMENDATION:

THAT H.E.C.F.I. ADJUST ITS STANDING COMMITTEE AND BOARD MEETING SCHEDULE TO REFLECT THE CHANGES MADE TO CITY COUNCIL'S MEETING SCHEDULES; and

THAT ACCORDINGLY, STANDING COMMITTEES AND BOARD MEETINGS IN NOVEMBER BE CANCELLED; and

THAT DECEMBER STANDING COMMITTEES AND BOARD MEETINGS BE AT THE CALL OF THE CHAIR.

Gabe Macaluso

Gabe Macaluso, Managing Director/CEO

BACKGROUND:

- The foregoing recommendation is presented as a result of changes made to the meeting schedules of City and Regional Councils because of the Municipal Election taking place November 10th.

- The term of office for the present members of City Council expires on December 1st. The City's Inaugural meeting has been tentatively scheduled Thursday, December 4th. The Region's Inaugural meeting is scheduled to take place December 8th and it is being recommended that both the City and Region meet December 16th.

#3

THE HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, September 18, 1997
12:00 Noon
Hamilton Place Board Room

MINUTES

PRESENT:	Mr. S. Monzavi, Chairman Mr. J. Kujavsky Mr. A. Skrypniak
ALSO PRESENT:	Mr. G. Macaluso Mr. J. Leuser Mr. B. Calder Mr. S. Farrauto
REGRETS:	Mayor R. Morrow Alderman T. Anderson Alderman T. Jackson

1. Chairman's Remarks

The Chairman called the meeting to order at 12:10 p.m.

2. Correspondence

Correspondence included in the agenda package was received as information.

3. Minutes of Finance and Administration Committee Meeting Held June 19, 1997

MOVED by Mr. Kujavsky, seconded by Mr. Skrypniak that

THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE MEETING HELD JUNE 19, 1997 BE APPROVED.

MOTION CARRIED.

4. Business Arising From the Minutes

Nil

5. Reports

5.1 Financial Summary for the Eight Month Period Ended August 31, 1997

The Committee received the Financial Summary for the Eight Month Period Ended August 31, 1997. The Director of Finance and Administration reviewed the financial summary, explaining that the over-expended municipal contribution of $16,205 for the month of August was primarily due to cleaning, maintenance and marketing expenditures.

Mr. Monzavi queried whether it was feasible to allocate a small percentage of revenue to establish a separate account to cover show losses. The Director of Finance and Administration explained that in the past, similar proposals have been rejected by the City's Treasury Department. However, the Budget Stabilization Reserve was established (with the City's approval) to mitigate financial losses, including show losses. Mr. Leuser will discuss the possibility of establishing a separate account with the City Treasurer.

5.2 Status Report on H.E.C.F.I. Revenue for the Eight Month Period Ended August 31, 1997

The Committee received the Status Report on H.E.C.F.I. Revenue for the Eight Month Period Ended August 31, 1997. The Director of Finance and Administration advised that all facilities as well as the Corporate Division are ahead of last year's actual revenues in the amount of $566,570 as at August 31st.

6. Private and Confidential

MOVED by Mr. Skrypniak, seconded by Mr. Kujavsky that

THE MEETING MOVE INTO AN IN-CAMERA SESSION AT 12:16 P.M.

MOTION CARRIED.

MOVED by Mr. Kujavsky, seconded by Mr. Skrypniak that

THE IN-CAMERA SESSION BE ADJOURNED AT 12:25 P.M.

MOTION CARRIED.

7. New Business

Nil

8. Other Business

Nil

9. Date of Next Meeting

Thursday, October 23, 1997
12:00 Noon
Hamilton Place Board Room

10. Adjournment

The meeting adjourned at 12:26 p.m.

TAKEN AS READ AND APPROVED

_____
Sonny Monzavi, Chairman

_____
Patricia Bennett, Secretary

5.1

Hamilton
Entertainment
and Convention
Facilities Inc.

Financial Summary
For The Nine Month Period Ended September 30, 1997

Actual Results For The Nine Month Period Ended September 30, 1996		(1) Budget	(2) Actual	(3) Favourable <Unfavourable> Budget Variance
$4,623,441.	Revenue	$5,028,777.	$5,348,879.	$320,102.
6,563,518.	Expenses	6,872,708.	6,970,459.	(97,751.)
$1,940,077.	**Excess of Expenses Over Revenue From Operations**	**$1,843,931.**	**$1,621,580.**	**$222,351.**

Comments:

HECFI's municipal contribution was under-expended by $222,351 (see row 3, column 3 above) for the nine month period ended September 30, 1997. This represents an increase of $22,078 in the under-expended amount reported to you last month for the eight month period ended August 31, 1997.

The under-expended municipal contribution of $22,078 for the month of September arose primarily from higher than anticipated revenues at the Hamilton Convention Centre.

The under-expended municipal contribution of $222,351 for the nine month period arose primarily due to the following:

(a)	a favourable budget variance of $123,405 was realized from HECFI's promotions/co-promotions. This is because a loss of $100,000 was budgeted for the first nine months of the year whereas a profit of $23,405 was achieved	$123,405
(b)	variable costs incurred to service food, beverage and rental revenue at the Hamilton Convention Centre were below budget	67,443
(c)	a favourable budget variance of $44,071 was realized on the box office operations for the first nine months of the year	44,071
		$234,919

HAMILTON
CONVENTION
CENTRE

Please note that it is the policy of the City of Hamilton not to charge its Departments, related Boards and Commissions with their interest and debenture costs nor with their utility and related overhead charges. Accordingly, these financial results do not reflect these costs.

John A. Leuser

Mr. John A. Leuser, C.A.
Director of Finance and Administration

1997 October 15

:he

THE HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.
CONSOLIDATED STATEMENT OF REVENUE AND EXPENSES

	Annual 1997 Budget (1)	Budgeted Operating Results For The Nine Month Period Ended September 30, 1997 (2)	Actual Operating Results For The Nine Month Period Ended September 30, 1997 (3)	Favourable/ (Unfavourable) Budget Variance Amount (4)	% (5)	Actual Operating Results For The Nine Month Period Ended September 30, 1996 (6)
REVENUE						
RENTAL, LICENCE FEES AND SHOW REVENUE	$1,296,720	$975,792	$1,019,660	$43,868	4.5%	$899,013
OTHER RENTALS	529,130	401,945	331,625	(70,320)	−17.5%	306,135
FOOD, BEVERAGE AND CONCESSIONS	2,378,510	1,675,442	1,824,884	149,442	8.9%	1,313,058
RECOVERIES	2,279,580	1,527,748	1,696,794	169,046	11.1%	1,602,478
BOX OFFICE	339,790	236,570	279,032	42,462	17.9%	274,877
OTHER	299,400	211,280	196,884	(14,396)	−6.8%	227,880
TOTAL REVENUE	**$7,123,130**	**$5,028,777**	**$5,348,879**	**$320,102**	**6.4%**	**$4,623,441**
EXPENSES BY DEPARTMENT / SECTION						
OPERATIONS–ADMINISTRATION	$286,800	$214,629	$215,477	($848)	−0.4%	$209,121
FOOD AND BEVERAGE	1,929,600	1,415,947	1,402,053	13,894	1.0%	1,232,484
EVENTS DELIVERY	2,724,740	1,883,451	2,019,704	(136,253)	−7.2%	2,002,980
BUILDING OPERATIONS	1,562,920	1,166,328	1,196,888	(30,560)	−2.6%	1,001,057
MARKETING AND PROMOTION	1,349,190	984,362	978,445	5,917	0.6%	966,953
ADMINISTRATION–CEO/BOARD	429,900	321,790	312,145	9,645	3.0%	306,558
PROFESSIONAL FEES	33,230	24,930	26,015	(1,085)	−4.4%	14,648
FINANCE AND ADMINISTRATION	680,830	508,410	478,191	30,219	5.9%	473,036
BOX OFFICE	373,420	274,273	272,664	1,609	0.6%	266,299
INSURANCE	104,790	78,588	68,877	9,711	12.4%	90,382
TOTAL EXPENSES	**$9,475,420**	**$6,872,708**	**$6,970,459**	**($97,751)**	**−1.4%**	**$6,563,518**
EXCESS OF EXPENSE OVER REVENUE FROM OPERATIONS	$2,352,290	$1,843,931	$1,621,580	$222,351	12.1%	$1,940,077
CONTRIBUTION FROM THE CITY	$2,352,290	$1,843,931	$1,843,931	$0	0.0%	$1,819,546
UNDER EXPENDED MUNICIPAL CONTRIBUTION	**$0**	**$0**	**$222,351**	**$222,351**	**0.0%**	**($120,531)**

NOTE: It is the policy of the City of Hamilton not to charge its Departments, related Boards and Commissions with their interest and debenture costs nor with their utility and related overhead charges. Accordingly, these financial results do not reflect these costs.

STATUS REPORT ON HECFI REVENUE
FOR THE NINE MONTH PERIOD ENDED SEPTEMBER 30, 1997

	Hamilton Convention Centre		Hamilton Place		Copps Coliseum		Corporate *		TOTAL HECFI	
	Current Month	Year to Date	Current Month	Year to Date	Current Month	Year to Date	Current Month	Year to Date	Current Month	Year to Date
1997 Actual	384,594	1,958,921	161,610	862,357	230,730	2,218,762	34,057	308,839	810,991	5,348,879
1997 Budget **	249,126	1,802,226	70,825	784,417	285,564	2,176,317	44,823	265,817	650,338	5,028,777
Favorable/ (Unfavorable) Variance	135,468	156,695	90,785	77,940	(54,834)	42,445	(10,766)	43,022	160,653	320,102

COMPARISON TO PRIOR YEAR'S ACTUALS

	Hamilton Convention Centre		Hamilton Place		Copps Coliseum		Corporate *		TOTAL HECFI	
	Current Month	Year to Date	Current Month	Year to Date	Current Month	Year to Date	Current Month	Year to Date	Current Month	Year to Date
1997 Actual	384,594	1,958,921	161,610	862,357	230,730	2,218,762	34,057	308,839	810,991	5,348,879
1996 Actual	236,492	1,554,812	69,383	694,674	281,345	2,061,470	64,903	312,485	652,123	4,623,441
Favorable/ (Unfavorable) Variance	148,102	404,109	92,227	167,683	(50,615)	157,292	(30,846)	(3,646)	158,868	725,438

* Corporate revenue includes revenue common to two or all three facilities, such as interest revenue, gift certificates, box office revenue, etc.

** The monthly and year to date revenue budgets represent targets established by the Marketing and Sales Department.

Prepared by the Finance and Administration Department

5.2

URBAN/MUNICIPAL
CA4 ON HBL A05
C51F31
1997

URBAN MUNICIPAL
DEC 10 1997
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1997 December 11th
2:00 o'clock p.m.
Room 233, City Hall

Susan K. Reeder

Susan K. Reeder, Secretary
Finance and Administration Committee

AGENDA

1. **IN CAMERA AGENDA**

2. **CONSENT AGENDA**

3. **DELEGATION**

   (a) Representatives - Hamilton Nutcracker Ballet and Festival

      (i) Report - Chief Administrative Officer - Hamilton Nutcracker Ballet and Festival

      (ii) Report - Treasurer (copy to follow)

4. **TREASURER**

   (a) Corporate Overview of the Quarterly Reports as at 1997 September 30

   (b) Financial Accounts and Other Non-Departmental Budgets Quarterly Report as at 1997 September 30

   (c) Writeoff of Outstanding Business Taxes

   (d) Writeoff of Outstanding Accounts Receivable

   (e) 5% Land Dedication Revenue - Refund of Loss during the Moratorium Period

      (i) Information Report - Building Commissioner

(f) Temporary Borrowing By-law

(g) Realty Tax Bills and Insert for 1998 Pre-Levy Billing

(h) 1997 November 25th Tax Sale and Writeoff of tax arrears on vested properties

(i) 1997 February 11th Tax sale and Writeoff of tax arrears on 606 Aberdeen Avenue

(j) Sexual Assault Centre (Hamilton & Area) - Request for Old PC

5. **GRANTS CO-ORDINATOR**

Extension of 1998 General Grant Applications Deadline

6. **CHIEF ADMINISTRATIVE OFFICER**

1997 Current Budget Appropriation - Property Department

7. **CITY CLERK**

(a) Information Report - Sub-Committees of the Finance and Administration Committee

(b) Extension of 1997 Business Licences

8. **THE PARKING AUTHORITY OF THE CITY OF HAMILTON**

Internal Financing Schedule of "Pay-on-Foot" Parking Revenue Control

9. **FIRE CHIEF**

(a) Purchase of Thermal Imaging Cameras

(b) Long Term Medical Surveillance Program (copy to follow)

(i) Report - Treasurer - Financing the cost of a Long Term Medical Surveillance Program (copy to follow)

10. **CHIEF ADMINISTRATIVE OFFICER/FIRE CHIEF**

(a) Emergency Preparedness

(i) Report - Treasurer - Financing the cost of revisions to the Emergency Preparedness Plan

11. **COMMISSIONER OF PUBLIC WORKS AND TRAFFIC**

Replacement of three (3) Mechanical Street Sweepers, Units 9565, 9566 and 9567, Fleet Services

12. **TREASURER/DIRECTOR OF CULTURE AND RECREATION**

City of Hamilton Donations Policy (issue previously tabled)

13. **OTHER BUSINESS**

14. **ADJOURNMENT**

3. (a.) (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 December 04

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: Hamilton Nutcracker Ballet and Festival

RECOMMENDATION:

1. That the actions of the Chief Administrative Officer in guaranteeing an advance so that HECFI in turn could release up to $80,000 from advance ticket sales of $140,000 to the Canadian Ballet Youth Ensemble, to undertake the work and organization for the Hamilton Nutcracker Ballet and Festival, being held December 11, 12 and 13, 1997 at Hamilton Place, be approved.

2. That the Canadian Ballet Youth Ensemble be given a one time grant of $25,000 to assist with defraying the start up costs of the Nutcracker Ballet and Festival with the Kiev Classical Ballet Theatre in 1997, in exchange for their commitment to host the Ballet and Festival in Hamilton Place also in 1998 and 1999.

OR ALTERNATIVELY

That the Canadian Ballet Youth Ensemble be given a loan for $25,000 to assist with defraying the start up costs of the Nutcracker Ballet and Festival with the Kiev Classical Ballet Theatre in 1997 at 0% interest and to be repaid from the surplus from the 1998 and 1999 Ballet and Festival also to be held in Hamilton Place.

3. That the City Treasurer recommend the method of financing for the $25,000.

J.G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

1. The guarantee advance is for up to $80,000 for the initial start up costs from HECFI to assist with cash flow.
The complete cash advance for up to $80,000 is completely secured by the ticket sales of $140,000 at this time and projected to be approximately $180,000 by December 11, 12 and 13, 1997.

2. In addition to the guarantee advance, there is also a request for a one time grant of $25,000.
Realizing that this is not part of the grant process, when various non-profit groups in the Community receive grants, the recommendation is for either a grant or a loan. As the alternative, the loan for $25,000 would be at 0% interest and would be repaid from the surplus from the 1998 and 1999 events.
Whether a grant or a loan is approved, the commitment by the Canadian Ballet Youth Ensemble is for the Hamilton Nutcracker Ballet and Festival to be held at Hamilton Place for 1998 and 1999.

BACKGROUND:

The Canadian Ballet Youth Ensemble previously requested $25,000 to assist with operating expenses for Pinocchio and the first Annual Nutcracker Ballet and Festival.
On April 03, 1997, City Council approved a $10,000 grant.

DISCUSSION:

The Hamilton Nutcracker Ballet and Festival started this past summer, August 11-29, 1997 when the Canadian Ballet Youth Ensemble held the Nutcracker Kids Camp at Hamilton Place Studio Theatre. One hundred local children trained with guest master ballet teachers to learn ballet and choreography for three weeks.

The training in ballet and choreography is to prepare over 200 children predominantly from Hamilton, but also from Burlington and Kitchener, to perform with the Kiev Classical Ballet Theatre, December 11, 12 and 13, 1997 in the Great Hall at Hamilton Place, as advertised on the attached poster.

The Canadian Ballet Youth Ensemble has entered into a three year contract with the Kiev Classical Ballet Theatre so that thirty dancers will travel from Kiev in the Ukraine to Hamilton, and stay at hotels for approximately one week each of the three years. This year, arrangements have been made for the thirty dancers to stay at the Sheraton Hamilton from December 08, until December 15 when they depart.

The attached balance sheet outlines total expenditures estimated at approximately $308,000 and total revenues estimated at approximately $283,000 resulting in a deficit in the first year of approximately $25,000.

This deficit occurs in the first year because there have been substantial up front start up costs. These costs will not materialize in the second or third years because the costumes and sets for the stage will in large part be available from the first year of the production. Therefore it is anticipated that sufficient surpluses will be available in years two and three to repay the loan.

Endeavouring to balance the expenditures with revenues, the Canadian Ballet Youth Ensemble has also considered not including the orchestra for an amount of $35,000 and have the music taped. The exchange of taped music as an alternative to the orchestra was thought to downgrade the quality of the event and jeopardize the attendance for the subsequent years's productions so is not being suggested.

DOWNTOWN PARTNERSHIP:

The brochure sponsored by the City of Hamilton titled "Positively Downtown" includes advertising for the Nutcracker Festival as illustrated in the attached copies of the brochure.

In addition to the City of Hamilton, the Canadian Ballet Youth Ensemble has established partnerships with the following:

- Sheraton Hamilton
- Valery Construction Limited
- ONTV
- Allegra Print & Imaging
- Royal Bank
- The Hamilton Spectator
- 102.9 K-Lite FM

The report titled "Strong Medicine" advocates taking advantage of the existing amenities and promoting more use of the HECFI facilities, Library and the Farmers' Market to promote more visitors, tourists and activity in the Downtown. The Nutcracker Ballet and Festival attempts to do exactly this for the next three years.

REQUEST:

The Canadian Ballet Youth Ensemble has requested the City of Hamilton to guarantee an advance so that HECFI could release up to $80,000 from advance ticket sales of $140,000 to undertake the work and organization for the ballet and festival being held December 11, 12 and 13, 1997 at Hamilton Place.

Next, they have requested that the City of Hamilton consider a one time grant of $25,000 so that there would not be a deficit at the end of their first year so they could put the same production on in 1998 and 1999.

JGP:dd
Attach.

c.c. Robert M. Morrow, Mayor
A.C. Ross, Treasurer
G. Macaluso, Managing Director/C.E.O.
M. Mascarenhas, Interim Coordinator, Downtown Partnerships
R. Fair, Director, Culture and Recreation


THE
NUTCRACKER
WITH
THE KIEV CLASSICAL BALLET THEATRE
CHILDREN'S PARTS
DANCED BY
CANADIAN BALLET
YOUTH ENSEMBLE
DATES:
THURSDAY DEC. 11, 1997
FRIDAY DEC. 12, 1997
SATURDAY DEC. 13, 1997
THE GREAT HALL
HAMILTON PLACE
CALL 645-5000
TICKETS AVAILABLE AT
COPPS COLISEUM & ALL
TICKETMASTER OUTLETS
MUSIC:
PIOTR ILYCH
TCHAIKOVSKY
CHOREOGRAPHED BY:
VITEK WINCZA
VALERI KOVTOUN
SET & COSTUME
DESIGNED BY:
EDWARD KOTENEN
PRODUCED BY:
VITEK WINCZA
ALLEGRA
PRINT & IMAGING
HAMILTON
VALERY
Sheraton Hamilton
HOTEL
CTV
102.9
The Hamilton Spectator

CASH FLOW POSITION

REVENUE				
	Performances	$241989.20		
	Culture for Kids	40000.00		
	Merchandising	1000.00		
Total Revenue				$282989.20
EXPENSES				final curtain
	Kiev Airfare	$43328		
	Kiev Ballet	25000		$12000
	Orchestra	35000	(using?)	35000
	Reharsal Pianist	2000		2000
	Production Mgr (Taras)	4100		
	Stage Mgr (Paul)	1750		
	Choreographer (Vitek)	5000		5000
	Producer (Vitek)	10000		10000
	Asst Choreographer (Juliana)	3000		3000
	Asst Choreographer (Jackie)	3000		3000
	Costume Design (Ed)	3000		
	Lighting (Graeme)	5000		
	Hecfi Stage Crew	38500		38500
	Hecfi Rehearsal	7238		7238
	Hard Sets (Singular/Robin)	4194		
	Soft Sets (Saphhire)	7255		
	Painting	20000		
	Props (David Kent)	2100		
	Costumes	15000	(estimate)	
	Costume Rental (Malibar)	6000		6000
	Kiev Costumes	3140		3140
	Headpieces (Doreen)	1000		
	Black Dance Floor	1000		
	Special Effects	4000		
	Hecfi Rental	20000		20000
	Hecfi Admin	27000		27000
	Media	?		?
	Administrator	6000		6000
	Other	5000		
Total Final Curtain Expenses				$177878.00
Total Cash Flow Required Now				$129727.00 DIFFERENCE
Total Expenses				$307605.00

TOTAL SHORTFALL <$24615.80>

TOTAL HECFI EXPENSES INCLUDED $92738.00 ($68122.20 overage if HECFI agrees to A/R)

** Note - $50000.00 loan still outstanding plus interest **
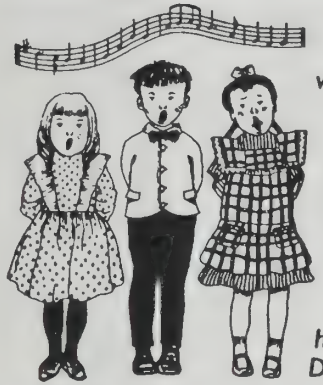
** Note - $35000.00 orchestra cost included in expenses **


It's Festive
in the
Downtown
POSITIVELY DOWNTOWN
...including
First Night
NOV. 22, 1997 - JAN. 1, 1998

It's Positively Festive In Downtown Hamilton



CHRISTMAS MUSIC IN THE CITY



Wednesdays through Saturdays, Dec. 3 - 21 with local school groups, church choirs and carolers in costume. Singers will be strolling in Gore Park, City Hall, Howard Johnson Royal Connaught Plaza Hotel, Lloyd D. Jackson Square and Eaton Centre. Whitehern Museum will have singers Sundays, December 14 & 21.

CITY OF HAMILTON PRESENTS

Santa's Reindeer *in Gore Park, Nov. 21 - Dec. 21. Come and visit the reindeer. *To Be Confirmed.*
Toy Train *in Gore Park. The 10-car toy train rides begin Nov. 21 and continues until Dec. 21, seven days a week from 12:30 p.m - 7:30 p.m.*
Letters To Santa *can be dropped off in the "Express to the North Pole Mailbox" in Gore Park, Nov. 22 - Dec. 21.*
Edwardian Christmas *at Whitehern Museum, November 22 - December 31, 1 - 4 p.m. daily except Mondays. Specials include Christmas Family Sundays and Twilight Tours. Please call 546-2018 for information.*

HAMILTON FARMERS' MARKET

Shopping at the Hamilton Farmers' Market at this time of year is a festive experience. See you at the market where the parking is free, the people are friendly and the spirit of Christmas is all around. Bring the children down to see Santa on Saturday, Dec. 20. The Market, at 55 York Blvd., is open Tuesday, Thursday, Friday & Saturday until 6 p.m.

SANTA CLAUS PARADE

Santa Claus Parade gets under way at 2:30 p.m. Official Christmas Lighting Ceremony in Gore Park, Saturday, Nov. 22 at 4:30 p.m., immediately following the Parade. Come and visit Santa and BJ the Elf and sing with the Salvation Army Band in Gore Park.

DOWNTOWN HAMILTON BIA PRESENTS

Santa and BJ the Elf *in Gore Park, Nov. 22, 4-6 p.m., Dec. 13, 20, 24 from noon - 3:30 p.m.*
Horse and Buggy Rides *in Downtown Hamilton, Nov. 22, 4-6 p.m., Dec. 13, 20, 24, noon - 3:30 p.m. Pick-up and drop-off at Gore Park (south side of King St.).*
Downtown Toy Drive *all toys collected will be donated to the Catholic CAS and the CAS of Hamilton-Wentworth. Drop-off boxes at: Royal Bank, 28 James South; Right House, 35 Main East; Effort Trust Building, 140 King East. Boxes will be in Gore Park on Nov. 22, Dec. 13 & 20.*

CREATIVE ARTS PRESENTS



Winter Festival of Friends Arts & Craft Show: *Nov. 27 - 30 at Hamilton Convention Centre. Free Admission! Thursday - Saturday, 11 a.m. - 9 p.m. and Sunday, 11 a.m. - 6 p.m. For information, call 525-6644.*
Big Band Showdown: *7 p.m., Friday, Nov. 28 & Saturday, Nov. 29 at the Hamilton Convention Centre. Tickets are $15 (advance) and $20 (at the door).*

JACKSON SQUARE / EATON CENTRE

Visit Santa *at Lloyd D. Jackson Square from Nov. 29 through Dec. 24 in the Atrium and at the Hamilton Eaton Centre, starting Dec. 4, Thursday - Saturday in the Food Court. Christmas Midnight Madness on Dec. 5 & 19.*

NUTCRACKER FESTIVAL



Hamilton Nutcracker Festival *begins Nov. 20 and runs through the Christmas season. The Nutcracker Ballet, produced by Vitek Wincza, is at Hamilton Place Dec. 11 - 13 with stars of the Kiev Classical Ballet. Enjoy themed windows in the stores of Downtown Hamilton and International Village BIAs. Starting Nov. 22, have Breakfast with Santa at The Sheraton Hamilton Hotel. For information, call 529-6956*

ART DOWNTOWN

Celebrate the Visual Arts *with Public Hanging '97 Art Exhibit at Eaton Centre. Also, enjoy the "Cootes' Paradise" mural by Robert Ross, east wall of Laurentian Bank, James & King St. and Henry Smith's "Hamilton Farmers' Market" mural, east wall of the parking garage, 32 York Blvd.*

ART GALLERY OF HAMILTON

Special Exhibition *opens Dec. 20. "Banting and Jackson: An Artistic Brotherhood" showcases drawings and paintings by Sir Frederick Banting, renowned Canadian doctor, and A.Y. Jackson, member of the Group of Seven, created over their 16-year friendship. Call 527-6610 for information.*

HAMILTON

Hotline Number:
546-2750

4. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Corporate Overview of the Quarterly Reports as at September 30, 1997

RECOMMENDATION:

(a) That the compensation to the Hamilton Parking Authority for the actual loss of revenue due to the one-year downtown parking initiative for two hours of free parking at the York Boulevard Parking Garage, at a cost not to exceed $450,000, be financed as follows:

i) the actual revenue loss for 1997 estimated as $300,000 be funded from any available 1997 Year End Surplus, and

ii) the balance of the program approximating $150,000 be reflected in the 1998 Current Budget.

(b) That an overdraft to the 1997 Law Department budget in the amount of $150,000 due to additional costs incurred in the Outside Counsel account be approved and be funded from any available 1997 Year End Surplus.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below.

BACKGROUND:

This is the second quarterly report Corporate Overview presented in 1997.

DISCUSSION:

Attached is the Corporate Overview of the Quarterly Reports for the City based on actuals to September 30, 1997 along with projections as to the year-end position. Based on the September 30, 1997 actuals, there is projected to be a net surplus of $714,289 at year-end as follows:

C.A.O.	$ 0	
Building	150,000	Surplus
Clerks	223,000	Surplus
Culture & Recreation	(459,200)	Deficit
Fire	431,850	Surplus
Human Resources	35,630	Surplus
Information Systems	(66,090)	Deficit
Law	(150,000)	Deficit
Legislative	(50,000)	Deficit
Planning	95,934	Surplus
Property	(235,252)	Deficit
Public Works/Traffic	828,970	Surplus
Treasury	70,000	Surplus
Financials & Others	(160,573)	Deficit
TOTAL	$ 714,269	Surplus

Individual departmental quarterly reports providing further explanation to these results have been distributed through the respective Standing Committee secretaries for the information of Committee.

In addition to these amounts, surpluses are also projected within the following local boards and agencies:

Hamilton Public Library Board	$120,020
H.E.C.F.I.	180,000

Previously, City Council has committed 1997 surplus funds to finance the unbudgeted additional 1997 Road & Sidewalk Improvement Program in the amount of $412,000. This was approved by City Council in August and reported on in the June 30 Corporate quarterly report.

Another item noted in the June quarterly report pending a financing recommendation is an amount to offset Parking Authority revenue losses due to the Downtown Free Parking initiatives. This program was approved by City Council in August, with the financing recommendation outlined in this report. The program was to run for one year at a maximum funding level of $450,000. It is projected that the 1997 amount of lost revenues is $300,000, which as indicated should be financed out of the available 1997 corporate surplus. The balance of the program is recommended to be budgeted in 1998.

The Law Department 3rd quarter Monitoring report previously distributed to Committee projected a year end deficit position of $50,000, due solely to additional Outside Counsel expenses. Law suits commenced after the completion of 1997 Current Budget deliberations and which uncharacteristically have been concluded within the current year have added significantly to costs in the defence of the City. The additional $100,000 deficit is directly attributable to the successful resolution of one case in particular, which is separately reported to Committee at this time. In addition, the Law Department has incurred expenses previously attributed and funded within the Human Resources Labour Relations Consulting account. The above list identified a surplus within that department. This outcome highlights the difficulty in projecting and funding one-time expenses in litigation, no matter which staff department funds it. Alternate budgeting approaches will be considered and brought forward in the course of 1998 Current Budget deliberations.

Given the present projection of an overall corporate surplus, there is no provision to draw on any transitional funding. This type of funding is for programs removed during the 1997 budget deliberations, where due to the timing of implementation, there remains a need for some operating funds. Consistent with prior years, a draw for transitional funding will occur in the event that an overall corporate surplus could not accommodate these unbudgeted costs. This will be re-evaluated based on actual 1997 year-end results.

The projected resultant 1997 Year-End Surplus after the above noted adjustments is expected to be in the amount of $2,269. It should also be noted that to the extent that a surplus remains within the Hamilton Public Library Board, this surplus will also be forward to the City and form overall surplus.

c.c. Members of Corporate Management Team

CURRENT BUDGET QUARTERLY REPORT
AS OF SEPTEMBER 30, 1997

CORPORATE OVERVIEW

Summary of Expenses/Revenues as of September 30, 1997

To September 30th, total actual expenditures are 0.7% below budget as compared to the prorated $121,006,930 Expenditure Budget. In addition revenues to this point are in a deficit position of 2.3%. The blended effect translates into a $1.9 million deficit or 133.5% of the pro-rated net revenues as indicated below. Note that the prorating of the September 30 Budgeted numbers are not 75% of the total, reflecting seasonal fluctuations.

An explanation of these variances follows the tables below.

Table 1 **BUDGET AND ACTUALS AS AT SEPTEMBER 30, 1997**

Corporate Overview Variances to September 30, 1997	1997 BUDGET TO DATE (1)	1997 ACTUAL TO DATE (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE % (3/1) (4)
Expenditures	$121,006,930	$120,168,272	$ 838,658	0.7%
Revenues	$122,444,430	$119,687,172	($ 2,757,256)	(2.3%)
Net Revenues	$ 1,437,500	($ 481,100)	($ 1,918,600)	(133.5%)

Projected to Year-end based on the September 30th information, the favourable expenditure variance remains, although marginally at 1.2% and is offset by an unfavourable revenue variance of 0.5%, resulting in a net favourable surplus position as indicated in Table 2 below.

Table 2 **PROJECTED TO YEAR END**

Corporate Overview Variances projected to Year-End	1997 BUDGET (1)	1997 PROJECTED ACTUAL (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE PERCENTAGE (3/1) (4)
Expenditures	$162,288,650	$160,388,592	$ 1,900,058	1.2%
Revenues	$162,288,650	$161,402,881	($ 885,769)	(0.5%)
Net Revenues	$ 0	$ 1,014,289***	$ 1,014,289***	

NOTE: This surplus amount includes $180,000 surplus for HECFI operations, plus $120,020 for Library surplus. The resultant City Departmental surplus is $714,269. It is recommended that $300,000 of this surplus be transferred to the Parking Authority to offset revenue losses due to the downtown parking initiatives. An additional $412,000 has been committed to offset the required funds for the 1997 Roads and Sidewalk Program. The projected net surplus would be $2,269.

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES

The overview of the corporate expenditures to September 30 is 0.7% under budget. Of that total, a net amount of $0.3 million is attributable to unfavourable departmental spending, largely due to seasonal nature of the work within Public Works. The departmental unfavourable position is offset by a $1.1 million surplus position within the Financial and Other Non-departmental accounts, which has been explained under a separate report. The combined effect is the indicated $838,658 surplus.

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES - continued

By year end, the overall corporate projected expenditures are expected to have a $1.9 million surplus or 1.2% of the total gross expenditure budget of $162,288,650. Of the total surplus, $1.8 million is expected to come from departmental savings. Again, the main contributing factor is salary gapping savings. Details of the Departmental surpluses should be referred to their individual quarterly reports previously distributed through the Standing Committee Secretaries.

As noted within the Quarterly Report for Financial and Other Non-departmental Budget accounts, identified areas of concern are overdrafts in Tax Remissions, no provision for Transitional funding, and budgeted expenditure for the billing of the Provincial Supplementary Assessment fee (in spite of no indication as to whether such billing for 1996 and 1997 will be realized).

SIGNIFICANT REVENUE VARIANCES

As of September 30, the Corporate overview of the revenue variance indicates a 2.3% shortfall or roughly $2.8 million. The Financial accounts reflect $1.9 million of the shortfall which is addressed under a separate report.

To year-end, the revenue variance drops to a nominal 0.5% or $0.9 million on a corporate basis. Approximately $0.3 million is accounted for by the shortfall in the Financial Accounts. The balance of the revenue shortfall is addressed within the departmental quarterly reports.

As noted in the Financial report, the projection of year-end position is based on the normal draw from reserves with the exception of transitional funding. Given the expected corporate surplus, a reserve draw for transitional funding is not necessary.

IMPACT OF SERVICES/PROGRAMS APPROVED BY COUNCIL WITHOUT CURRENT FUNDING

There are two significant new programs approved by Council which require current budget funding from the projected year-end surplus position. An amount of $412,000 is required for the additional 1997 Road and Sidewalk Reconstruction program. The other commitment of year-end surplus is for $300,000 as the anticipated shortfall in Parking Authority Revenues due to the free parking initiatives for the Downtown Core.

4. (b.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 November 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross,
Treasurer

SUBJECT: **Financial Accounts and Other Non-Departmental Budgets Quarterly Report as at September 30, 1997**

BACKGROUND:

Attached is the Quarterly Report for the Financial Accounts and Other Non-Departmental Budgets based on actuals to September 30, 1997 along with a projection as to the year-end position. Based on the September 30, 1997 actuals, there is a projected deficit of $160,5730 at year-end as indicated and explained within the Quarterly Report.

This report is prepared as a component of the ongoing process to keep City Council updated on Current Budget issues.

Allan C. Ross

CURRENT BUDGET QUARTERLY REPORT
AS OF SEPTEMBER 30, 1997

FINANCIAL ACCOUNTS & OTHER NON-DEPARTMENTAL BUDGETS

Summary of Expenses/Revenues as of September 30, 1997

To September 30th, total actual expenditures are 5.1% below budget as compared to the prorated $21,823,300 Budget. In addition revenues to this point are in a deficit position of 1.8%. The blended effect translates into an $799,815 deficit or 1.0% of the pro-rated net revenues as indicated below.

An explanation of these variances follows the tables below.

Table 1 **BUDGET AND ACTUALS AS AT SEPTEMBER 30, 1997**

Departmental Name Variances to September 30, 1997	1997 BUDGET TO DATE (1)	1997 ACTUAL TO DATE (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE % (3/1) (4)
Expenditures	$21,823,300	$20,716,197	$ 1,107,103	5.1%
Revenues	$105,788,320	$103,881,402	($ 1,906,918)	(1.8%)
Net Revenues	$ 83,965,020	$ 83,165,205	($ 799,815)	(1.0%)

Projected to Year-end based on the September 30th information, the favourable expenditure variance remains, although marginally at 0.4% and is offset by an unfavourable revenue variance of 0.2%, resulting in a net revenue unfavourable deficit position of 0.1% as indicated in Table 2 below.

Table 2 **PROJECTED TO YEAR END**

Department Name Variances projected to Year-End	1997 BUDGET (1)	1997 PROJECTED ACTUAL (2)	FAVOURABLE / (UNFAVOURABLE) VARIANCE (1-2) (3)	VARIANCE PERCENTAGE (3/1) (4)
Expenditures	$ 29,097,700	$ 28,971,073	$ 126,627	0.4%
Revenues	$141,051,090	$140,763,890	($ 287,200)	(0.2%)
Net Revenues	$111,953,390	$111,792,817	($ 160,573)	(0.1%)

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES

The Financial and other Non-Departmental account expenditures to September 30 are 5.1% under budget. Within the expenditures $0.7 million of the favourable variance is largely attributable to the timing of expenditures not being charged against budget, specifically for Current Impact from Capital Programs and Transitional funding. Transitional funding is usually considered at year-end, subject to the overall position of the Corporation. Current Impact from Capital Programs provides a base for departments upon the completion of specific capital programs to offset the related operating costs for the Capital Program. This base is transferred throughout the year as the capital programs are completed. Another account in a considerable surplus position as of September 30, is tax remissions, reflecting to this point a $275,000 surplus. This surplus account is created due to the timing of the processing of tax appeals. As noted later, this account is projected to be in significant deficit position by year-end. There are a few accounts in deficit position as of September 30 and expected to remain in a deficit at year-end. These accounts are, Special Civic Receptions and Damage Claims with overdrafts at this point of $30,000 and $140,000 respectively.

SIGNIFICANT SERVICE/PROGRAM EXPENDITURE VARIANCES - continued

By year end, the Financial Accounts and Other Non-Departmental expenditure budgets are projected to have a nominal surplus of $126,627, or 0.4% of the total $29 million budgeted amounts. As noted previously, there are expected deficits in some accounts, Special Civic Receptions, Damage Claims, and Tax Remissions. Tax Remissions is projected to be in overdraft by $390,000 on a $1.7 million budget. In spite of the September 30, surplus position, it is anticipated that tax appeals will exceed last year's level of $1.8 million, expanded by some significant one-time appeals. This is a projection which presents a worse case scenario. The amount of appeals processed by the Regional Assessment Office has been delayed due to the focus on the necessary data to implement the new Current Value Assessment system, however there is the possibility for this significant overdraft.

To counter the noted overdrafts are two accounts not expected to expend any funds, Current Impact from Capital Projects as discussed earlier, and Transitional funding. Transitional funds are not expected to be required given the overall corporate surplus. The budgeted expenditure amount for Transitional cost is matched by revenue funding from the reserve.

Another noteworthy account is that the Provincial Supplementary Assessment fee is projected to be expended to the budgeted amount of $340,000. To date, the province has not billed the City for such a fee, and a similar amount remains outstanding to be billed from the province for 1996. There is no indication that the Province will not follow through with this billing, however the outcome of this account has a considerable swing and affect on the overall surplus.

One final note on the expenditures relates to the outstanding Budget Adjustment in the amount of $200,000 for benefits which was approved as part of the 1997 Current Budget. This adjustment remains within the Financial accounts and has not been distributed. Expected savings within the benefit accounts will be reflected based on actual experience with the various benefit suppliers. The departmental rates for benefit costs will be adjusted downward in 1998.

SIGNIFICANT REVENUE VARIANCES

Supplementary Tax revenues are currently 64% or $433,850 below budget due to the fact that the Regional Assessment Office has been working on the change to current value assessment and did not have a supplementary tax run until October. Subsequent to the September reporting period, a Supplementary Tax run was completed and these revenues are expected to exceed budget. Gross interest income on investments is expected to exceed budget by approximately 10%, however it is unknown at this time as to whether the portion allocated to current budget is expected to be met as there is a greater portion of interest income attributable to reserve and reserve fund balances. Provincial subsidies are currently $1.0 million below budget however this deficit is strictly due to timing of receipt of subsidy payments. By year-end, subsidies are expected to exceed budget by $100,000 due to receipt of a pay equity grant.

It should be noted that a $1,512,750 draw from the Reserve for Tax Stabilization, $600,000 draw from Development Charges, $414,000 draw for Debt Charges, and a $377,570 draw from the Reserve for Vehicle Replacements have been included in these estimates as provided for in the approved budget. As in previous years, should actual budget performance at year-end indicate that the transfer from the Reserve for Tax Stabilization is not required, adjustment can be made accordingly. Additionally, Transitional revenues have not been drawn at this time, as noted above, due to the projected overall corporate surplus.

In summary, by year-end the main revenue shortfall is expected to be in the amount drawn from Reserves, some of which would not be required based on an overall corporate surplus.

IMPACT OF SERVICES/PROGRAMS APPROVED BY COUNCIL WITHOUT CURRENT FUNDING

There have been some Special Civic events which have been approved without current funding. The nature of these unique activities makes it difficult to prepare an accurate budget, accordingly it is not anticipated at this point to require an adjustment in 1998.

4. (c.)

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1997 December 1

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Write off of outstanding business taxes

RECOMMENDATION:

That outstanding business taxes in the amount of $679,225.01 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account CH53401 24106, Tax Write-offs.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City's share of write-off amounts to approximately $169,800.00. The balance will be recovered from the Region and the Boards of Education.

BACKGROUND:

This report summarizes outstanding business taxes in the amount of $679,225.01 which are deemed to be uncollectible and are being recommended for write-off. The accounts are classified as accounts which have been assigned to a collection agency; accounts which have been assigned to a bailiff; accounts which are bankrupt and administered by a Public Trustee for which a final closeout has been received; accounts which are bankrupt and administered by a Public Trustee and which the City has filed proof of claim prior to October 31, 1995 or a final discharge has been received; accounts which have been incorrectly assessed and the deadline for appeal has expired. For your information this is the second write-off presented by the Treasury Department for approval in 1997 which brings the total write-offs to date in 1997 to $1,213,952.76. In 1996, City Council approved a total of $1,340,717.82 in business tax write-offs.

A copy of the schedule listing the details of these Write-Offs is available to Members of Council on a Private and Confidential basis from the Committee Secretary.

cc: P. Noé Johnson, City Solicitor

4. (d.)

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1997 December 1

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Write-off of outstanding accounts receivable

RECOMMENDATION:

That outstanding Accounts Receivable in the amount of $8,051.56 be written off and charged to Account CH 15401 00001.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation

BACKGROUND:

Attached is a schedule of outstanding Accounts Receivable charges which are deemed uncollectible.

This is the first such Accounts Receivable write-off report for 1997.

A copy of the schedule listing the details of these write-offs is available to Members of Council on a Private and Confidential basis from the Committee Secretary.

c.c. P. Noé Johnson, City Solicitor

4. (e.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 5% Land Dedication Revenue - Refund of Loss During the Moratorium Period

RECOMMENDATION:

That the City Treasurer be authorized to transfer $560,576.06 from the Reserve for Capital Projects, Account Centre No. CH 00203 to the Reserve for Park Lands - 5% Land Dedication, Account Centre No. CH 00201 for the loss of revenue of the 5% Park Dedication from building permits processed for the purpose of a single family dwelling during the moratorium period 1996 July 10 to 1997 July 11 as calculated by the Building Department.

Allan L. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

After transferring the above loss of revenue and the year end interest income adjustment the Reserve for Capital Projects will have a balance in the amount of $800,000 (approx.) and the Reserve for Park Lands - 5% Park Dedication will have a negative balance of $250,000 (approx.).

BACKGROUND:

The Committee of the Whole, at its meeting held Tuesday, July 23 1997 approved the following:

"(a) That staff be directed to calculate the loss of revenue of the 5% Park Dedication from building permits processed for the purpose of a single family dwelling during the moratorium period 1996 July 10 to 1997 July 11; and,

(b) That the above loss of revenue be financed from the Reserve for Capital Projects, Account Centre No. CH 00203 and be transferred to the Reserve for Park Lands 5% Land Dedication, Account Centre No. CH 00201."

The Building Department calculated the revenue loss of the 5% Park Dedication from 487 individual single family dwelling units during the moratorium period 1996 July 10 to 1997 July 11.

NRA:jc

c.c. L. King, Building Commissioner

4. (e.) (i)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 December 4

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Building Commissioner

SUBJECT: 5% Land Dedication Moratorium - Impact on Construction Activity (97.2.4.2.1.A, 97.4.4.3)

BACKGROUND:

City Council at their meeting of 1996 July 9 approved a resolution which replaced a recommendation of Section 11 of the Thirteenth Report for 1996 of the Finance and Administration Committee which recommendation stated as follows:

11. (a) That the City Solicitor be authorized and directed to prepare an amendment to By-law No. 84-252 to allow land to be developed for the purpose of a single family dwelling where land in the amount equal to 5% of the area to be developed, or cash equivalent, has not been conveyed to the City where the building permit has been applied for between 1996 July 10 and 1997 July 11 and the building permit has been issued by 1997 August 1; and,

(b) That the Building Commissioner be authorized and directed to refund to the building permit applicant the equivalent to the 5% land dedication collected by the City under Section 51.1 and 53 of The Planning Act, if

(i) the lot being developed is in a plan of subdivision registered before 1997 July 11; and,

(ii) the building permit is applied for between 1996 July 10 and 1997 July 11; and,

(iii) the building permit is actually issued by the close of business day of the Building Department on 1997 August 1; and,

(iv) the proposed building is only a detached single family dwelling as defined by Zoning By-law #6593.

.../2

PERIOD	S.F.D.TOTAL PERMITS ISSUED	CONSTRUCTION VALUE (MILLIONS)
1996 - 1997	529	$58.046
1995 - 1996	305	$35.099
1994 - 1995	266	$30.234

Hamilton had 529 single family dwelling permits issued in the 1996 July to 1997 July period as opposed to an average of 286 issued in the previous two years, which represents an additional 243 homes. The total value of permits issued for single family dwellings in 1996/97 period were valued at $58.046-million, which represents an increase of $25.38-million over the average of the previous two years.

It should be noted that for each additional home built, there is approximately 2½ man years of labour equivalent added to the local economy. This means for the additional 243 homes we had approximately the equivalent of 607 man years of labour created. Many of the people who have been working on these homes would otherwise have been on social assistance or unemployment.

It should also be noted that there was a general increase in construction activity nationally as well, however, Mr Dan Condon, Executive Director of the Hamilton-Halton Homebuilders Association (H.H.H.B.A.) has indicated that he has information to the effect that Hamilton had the largest year-to-year increase of construction activity (on a percentage basis) in the entire country.

For your information, the average 1997 property taxes for a new single family dwelling was $2,119.26. Based on the additional 243 homes built during this period, this would generate an additional $515,000 in taxes each year from this point forward.

In conclusion, it appears that the moratorium on collecting the 5% land dedication has, in fact, had a very positive impact on construction activity in the City of Hamilton during the moratorium period.

LCK/dm

4. (f.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Temporary Borrowing By-law

RECOMMENDATION:

a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1998 pending receipt of current revenues; and

b) That the appropriate borrowing by-law be approved.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below.

BACKGROUND:

Section 187(1) of the Municipal Act, R.S.O. 1990, as amended provides that;

> "A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide."

During the course of conducting City business, it is necessary from time to time to overdraw bank accounts to pay for approved amounts since the City funds are fully invested and there may be a delay in the receipt of taxation and other current revenues. It is sometimes more economical to borrow monies to pay off these accounts than to cash short term investments at a lower rate of return.

In accordance with the Municipal Act, the City annually passes a by-law to provide for the temporary borrowing of monies to provide financing when insufficient funds are available to meet current expenditures due to the timing of the cash flows. The attached draft proposed by-law is required to maintain authorization of a temporary borrowing facility with the City's bank.

Section 187(2) of the Municipal Act sets limits on the amounts that may be borrowed at any one time pursuant to section 187(1). These limits were amended by Bill 165, which received Royal Assent on 25 June 1992. The attached draft by-law recognizes these revised limits.

TWD:jc

c.c. P. Noé Johnson, City Solicitor

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

> "A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds,, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187(2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

> "The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Municipality") in adopting Item of the Report of the Finance and Administration Committee on December 1997 authorized the temporary borrowing of monies to meet current budget expenditures for the year 1998 pending receipt of current revenues;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Mayor and Treasurer are hereby authorized on behalf of the Corporation of the City of Hamilton to borrow from time to time by way of promissory note from the **CANADIAN IMPERIAL BANK OF COMMERCE** a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1998 and to give to the Bank on behalf of the Corporation a promissory note or notes, sealed with the Corporate Seal and signed by the Mayor and Treasurer, for the monies so borrowed, together with interest at such rate as may be agreed upon from time to time with the Bank.

   (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1998 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in estimates adopted for the next preceding year.

(2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1997 are Five Hundred and Twelve Million, Nine Hundred and Sixty Six Thousand and Five Hundred and Sixty Dollars ($512,966,560.00).

3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.

4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.

5. By-law 96-208 is repealed.

6. This by-law shall come into force and effect on the 1st day of January, 1998, and shall remain in force and effect until December 31, 1998.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

4. (g.)

CITY OF HAMILTON
- RECOMMENDATION-

DATE : 1997 December 4

REPORT TO: Susan K. Reeder, Secretary

FROM: Allan C. Ross
Treasurer

SUBJECT: **Realty Tax Bills and Insert for 1998 Pre-Levy Billing**

RECOMMENDATION:

a) That the billing form, as attached, be adopted for use for the billing of the City of Hamilton pre-levy taxation in 1998.

b) That staff continue to compose an insert to accompany the pre-levy bill similar to the draft, attached to this report.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

In response to changing legislation that governs the manner in which municipal taxation is levied province wide, the City's forms used in this function must be amended. In the last week of November the Province introduced additional legislation that is intended to govern the form and content of future municipal tax bills. Inasmuch as the details are as yet unknown and staff suspects that the changes may not affect the interim billing Treasury is suggesting that we carry on with this proposal. If circumstance changes and it is determined that additional amendments are required this will be the subject of future report(s). The 1998 interim taxation levy is expected to generate approximately $223,000,000.00 for City, Regional and Education purposes. A recommendation with respect to the taxation rates for the interim billing will follow in January.

BACKGROUND:

Staff has twice previously made presentations to the Finance and Administration Committee regarding Current value assessment and its impact on the City of Hamilton. This report reiterates and expands upon the information previously presented. A further presentation will accompany the report, and it is anticipated that reports will be presented to Finance and Administration at least monthly in 1998.

DISCUSSION:

Throughout 1997, the Provincial Government has introduced legislation that will dramatically change municipal taxation. The Fair Municipal Finance Act will bring all property assessments in the province to the same valuation date, initially being

June 30, 1996. Further changes to the Assessment Act, speak to a division of all properties into classes and subclasses, which provide the basis for differing tax rates across the rate setting jurisdictions. As at the date of this report, amendments to the pending legislation continue to be introduced regularly and staff is making every attempt to stay current and react as required to those changes. The legislation, when passed, is largely dependant on further ministerial regulations, thereby extending the period of uncertainty.

Changes to the Municipal Act allow municipalities the latitude to set ***tax rates*** for property classes and the ***tax ratios*** that exist between those rates. Business Occupancy Tax (BOT) has been eliminated and the revenue previously raised through that source can be recovered from the property tax base. The legislation allows for the phase-in of assessment generated tax increases, tax relief to low income seniors and/or disabled persons, tiered commercial tax rates and tax rebates to eligible charities.
The policy setting authority for the vast majority of the issues arising out of the new legislation lies with the upper tier municipality. The setting of tax ratios, perhaps the most fundamental of those issues, defaults to the upper tier for policy decision. The upper tier does, however, have the option of delegating that authority to the lower tier municipalities in their jurisdictions. The manner in which tax ratios and rates are to be calculated is defined later in the report.

Included with this report, please find a copy of the Ontario Government's, **Bulletin on the New Property Assessment and Taxation System in Ontario.** This document contains the basic concepts arising from the new legislation and is augmented by a glossary of terms that may be useful. The report will refer back to this document as required. Prior to reading the report, perhaps a short review of the "glossary of terms" in the above noted document may be of benefit in terms of clarification.

The balance of the report will be split into four sections. The first section will summarize the current value assessment issues and the introduction of tax classes and sub-classes that will redefine the assessment roll as we have known it traditionally. A discussion of what options will be available to local taxing jurisdictions, will follow in section two. The third section of the report will restate earlier information concerning preliminary assessment data and the analysis of projected taxation impacts. Finally, there will be an update with respect to the progress of Treasury's effort to redesign the current taxation system to include the programming requirements defined by the new legislation.

Section 1 - Redefining Assessment Value and Classification

Presently, in Hamilton-Wentworth, assessment valuation years vary from 1975 to 1984. That discrepancy is much greater in other municipalities across the province and accordingly the provincial government saw the need to bring all property assessment values to an equal base. Forming the basis to achieve that goal, is the adopted, definition for Current Value,

"the amount of money the fee simple, if unencumbered, would realize if sold at arm's length by a willing seller to a willing buyer."

To ensure the assessment values for each property, remain current province wide, the legislation commits to a schedule of valuation updates. On page C-1 of the Provincial Bulletin, a table outlining the valuation updating schedule can be found. As noted in the table, eventually the current year valuation will become the average of each of the previous three annual valuations. The assessment appeal process, at that juncture, will allow the property owner to appeal only the most recent annual valuation.

Departing from the traditional assessment distinction, between residential and commercial property tax classes for taxation purposes, the new assessment system will be defined by multiple property classes and subclasses. A description of the new property classes can be found in section "D" of the provincial bulletin. In the table forming Appendix "1" of this document, a further breakdown of the new tax classes into subclasses can be found.

Previously only residential or commercial mill rates could be applied to the assessment values in the calculation of tax levies on property. The rigid formula that had been used to calculate the residential and commercial mill rates is being replaced with a system of tax rates for each class, to be set within provincially defined parameters, by each rate setting jurisdiction. The two rate system is being replaced with a municipal taxing system that could contain as many as 80 taxing permutations and combinations. While being much more flexible the system will also be a great deal more complicated on the tax billing side.

The elimination of BOT rids the municipality of the most administratively costly and cumbersome source of taxation revenue. The redistribution of the business assessment, that which had been used to generate BOT, among the new classes of property assessment and securing those monies as a lien against the property, virtually guarantees 100% recovery of those tax dollars.

Section 2 - Local Taxation Options

Each municipality will be faced with the task of reaching decisions on a number of options that arise out of the new legislation. The table in Appendix "2" summarizes all of the options in the new taxation system and includes a brief description of each of the issues.

As mentioned previously, perhaps the most important of these decisions will be the setting of tax rates and ratios for the municipality. ***Tax rates*** will replace what had previously been known as mill rates. They are to be expressed as percentages and represent the amount of tax dollars to be generated per dollar of assessment. For example, a tax rate of 2.5% on an assessment of $100,000 would generate tax in the amount of $2,500.

Tax ratios define the relationship in tax rates applied to each of the tax classes. The benchmark residential class has a tax ratio of 1.00. All ratios for the other classes are then the tax rate for that class compared to the tax rate for the residential class. That is, if the tax rate for the commercial class is 5.0% and the tax rate on the residential class is 2.5%, then the tax ratio for the commercial class would be 5.0% over 2.5%, or 2..00. By legislation the tax ratio for the Farmland and Managed Forest classes is set at 0.25, province wide.

In general, ***transitional ratios*** are calculated using the historical taxation burdens for each class and the total current value assessment for that class. Dividing the assessment by the tax burden for the class, yields the dollar tax per dollar assessment percentage as described earlier. Transitional ratios for each municipality or a formula to calculate the ratios will be prescribed by the province. The ratios will be calculated, adding the BOT historical tax burden to the appropriate non-residential classes and allowing for the 50% education reduction to the residential classes. Transitional ratios become the opening taxation position for the municipality.

Through regulation the province will establish ***tax ratio fairness ranges*** for each tax class. The municipality may set tax ratios for a tax class at any point within the fairness range for that class. If the transitional ratio is found to be outside the fairness range, the municipality is allowed to leave the tax ratio as is or move toward the fairness range. Moving the tax ratio for a class further away from the fairness range is prohibited.

Section 3 - Preliminary Assessment Data and Analysis

In August, 1997 the Ministry of Finance, through each of its local assessment offices, delivered to each upper and single tier municipality, a set of preliminary reassessment figures. The new assessment values were allocated into the appropriate new property classes and the associated 1997 municipal taxation was allotted accordingly. Only class summary assessment totals were made available at that time. In accordance with the provincial delivery schedule, property by property reassessed values will not be available until January, 1998.

After applying the following criteria, a detailed analysis spreadsheet was developed:

1. Each class, on a regional basis, would raise the same monies as were levied on that set of properties in 1997. Taxation burdens for each class were derived by reallocating the properties by the new classes and summing the 1997 taxation for each class on that basis.

2. For this purpose, the transitional taxation ratios were developed on a region wide basis and accordingly it was assumed that there would be no delegation of that authority to the lower tier area municipalities.

3. The residential and multi-residential tax classes would pay only 50% of the 1997 educational tax burden. That 50% portion of the 1997 residential education burden would be recovered by the province through a single tax rate for both of those residential classes of property. The other 50% of the 1997 education tax burden would be offset by the regional levy and will cover the costs of the downloaded responsibilities.

Projected Region Wide Impact Between Classes

Class	1997 Tax in $ Millions	Projected Tax Ratio	1998 Tax in $ Millions	Tax Change Old to New	Tax Change %
Residential	297.8	1.00	305.1	7.3	2.5%
Multi-Residential	60.7	2.79	53.2	-7.5	-12.4%
Commercial	160.2	2.37	161.2	1	0.6%
Industrial	101.2	3.71	102.2	1	0.9%
Farmland	4.6	.25	1.1	-3.5	-76.1%
Managed Forest	.03	.25	.007	-.023	-76.7%

Caution should be exercised in the interpretation and use of these projections. One should understand that they are based on preliminary data from the Ministry of Revenue, derived from statistical models. Linear properties were not included in the preliminary data set (rail, hydro, pipeline). The debate with respect to the education tax levy is ongoing. Decisions with respect to education taxation will affect the calculation.

Section 4 - Status of the Taxation System Redesign

In the fall of 1997 a team comprised of Treasury and Information Systems staff was assembled. Their task was to redesign the current taxation system, ensuring that the City is in a position to bill municipal taxation in 1998, reflecting Current Value Assessment and the changes resulting from The Fair Municipal Finance Act. The CVA Project team is split into three functional subsets responsible for, 1) policy interpretation and/or development, 2) operational/programming amendments and, 3) implementation and education.

Over the fall months the team's time has been split between the CVA Project and other tax related duties. An upgraded tax certificate system has been developed and is currently being tested. This particular system is expected to be installed and producing tax certificates, through online requests from taxation staff, in January of 1998. This

upgrade will effectively eliminate the data entry requirement of this function for I.S. staff and allow quicker turnaround time for tax certificate requests from the public.

The CVA team is presently developing the required changes to allow the pre-levy taxation function to operate in February, 1998. To do so, 1997 business assessment must be combined to the 1997 realty assessment values on properties where this condition exists. The project team is estimating that the pre-levy programming will be completed prior to the Christmas break. In January their full attention would then shift to the levy billing function and the inclusion of the processing requirements for the other legislated programs.

The CVA team has developed a draft tax bill for your consideration and approval, recognizing the required amendments to the pre-levy tax bills and the proposed insert that would accompany that bill (see attached). As indicated earlier, recent legislative amendments concerning the form and content of tax bills remains an issue. Attempts are being made to clarify this situation as quickly as possible and pertinent information in this regard will be forwarded to the committee as it is received. Inasmuch as it is being recommended that the bills are in part preprinted by an external printer, amendments to the bills must be finalized and approved now. The proposed insert can be printed internally and is therefore less time sensitive. When the insert is finalized it will be brought forward for council approval. A six week turnaround for external printing is not uncommon and drying time following the printing is required. The notion of preprinting as little as possible at an outside printing source allows for greater flexibility in the makeup of the information included and arranged on the form. Conversely, in house printing, (1) does not allow for multiple colors and, (2) double sided printing causes grave timing and operational concerns.

Giving consideration to these issues the recommendation utilizes the best of both printing options. By excluding the use of color on the face of the bill, it can be printed in its entirety, internally. The back of the bill will be printed externally, including the creation of the perforation required in the payment processing function. Previously noted operational and timing concerns are alleviated by this plan. Leaving the back of the bill a single color is less costly, and can be easily altered in future if desired.

Preliminary investigation with respect to future viability of the Prepayment Discount Plan and/or the Elderly Citizens Tax Rebate program are ongoing. Associated with the prepayment discount issue, is the probability that the traditional May levy tax billing will be delayed until at least June of 1998. Further reports on these topics can be expected in early 1998.

Appendix 1 – Basic Property Tax Classes (assumes Regional tax ratio setting authority)

Major Class	Sub Class	Tax Ratio & Local Options
Residential	n/a	• By legislation tax ratio is 1.00, all other class ratios are determined by their tax rate relationship to the residential tax rate.
Multi-residential	Multi-residential	• Ratio determined by Regional council.
	New Multi-residential	• Regional council can in by-law set a rate reduction to apply to new multi-residential properties for the first eight years of the building(s) existence.
Commercial	Commercial – occupied	• Ratio determined by Regional council.
	Commercial – vacant	• By legislation 70% of commercial rate. • Mid year adjustment, either tax reduction or supplement is as yet unclear.
	Eligible charity as defined by Income Tax Act or specified in a Regional by – law.	• Rebate up to 40% of tax otherwise due for commercial or industrial lands occupied by the eligible charity.
	Tiered commercial tax rates.	• Regional council may in a by-law set up to three graduated tax rates to apply to differing levels of commercial property assessment. • The scheme must apply evenly across the region. • The cost of the scheme must be borne within the commercial property class.
Industrial	Industrial – occupied	• Ratio determined by Regional Council
	Industrial – vacant	• By legislation 65% of industrial rate. • Mid year adjustment, either tax reduction or supplement is as yet unclear.
	Eligible charity	• See above for commercial class.
Farmland & Managed Forest	As defined in regulation	• Ratio of .25 as set by regulation.
Farmland awaiting development.	Subject of recent amendments.	• Clarification of the details of this issue will follow as they become available form the province.

Appendix 2 – Local Options

Options	Issues
Changing the relative tax ratios between the classes away from the transitional ratios.	• In the instances where transitional ratios are outside the fairness range any movement of the ratios must be toward the fairness range. • The fairness ranges are yet to be set by the Province. • Changes tax ratios shifts tax burdens from one class to another. • Any tax impacts on an individual property basis will not be available until January.
Establish graduated tax rates for assessment value driven sub-classes within the commercial class. Intention is to relieve tax burden on smaller commercial properties.	• Detailed property data required to determine the effects of the program are not available until January. • The scheme is to be funded within the commercial class. That is, any reductions are to be offset by increase with in the class. • The scheme is to be applied consistently across the region and can not differ by geographic area or type of business.
Establish by-laws to reduce tax on property occupied by charitable organizations.	• Detailed property data required to determine the effects of the program are not available until January. • Will assist these organizations but will shift that tax burden unto other properties if reductions are granted to organizations that did not enjoy the residential tax status.
Establish a Phase-in program to ease tax increase caused by reassessment.	• Detailed property data required to determine the effects of the program are not available until January. • Maximum duration legislated at 8 years. • Reassessment scheduled in 3 years, and as such a 3 year program is most practical • Recent amendments suggest that the phase-in be developed and funded on a class by class basis.
Establish a deferred tax program for low income seniors and/or disabled persons.	• Detailed property data not available to determine program impact, cost or target group. • Determination of interest rate to apply.

EDUCATION	REGION OF HAMILTON–WENTWORTH	CITY OF HAMILTON

1998 REALTY TAX BILL - INSTALMENT 1 AND 2

Tax Account 04 02820 2500

Property Description

Street Address 24 GLENADLE AVE N
PLAN 470 LOT 17

Owner 04 02820 2500
DOE JANE
24 GLENDALE AVE N
HAMILTON ON Q
83

L8L 7J3

1998 INSTALMENT 1 & 2 TAXATION CALCULATION

1997 Preliminary Realty Assessment	
Multiplied by the Pre-levy Residential Millrate	
Subtotal	
1997 Preliminary Business Assessment	
Multiplied by the Pre-levy Commercial Millrate	
Subtotal	
Non-metered Water and Sewer (50% of the 1997 amount)	
Total Taxation Instalments 1& 2	

STATEMENT OF ACCOUNT 04 02820 2500

INSTALMENT 1		PREPAYMENT OPTION	
DATE OF RECORD	FEB 01/98	DATE OF RECORD	FEB 01/97
DUE DATE	FEB 28/97	DUE DATE	FEB 28/97
INSTALMENT 1	1,151.56	COMBINED INSTAL 1 & 2	2,303.52
		DISCOUNT	12.21
AMOUNT DUE	1,151.56	AMOUNT DUE	2,291.31

THE PRELEVY MILLRATE FOR INSTALMENTS 1 & 2 IS
211.0 MILLS RESIDENTIAL
249.0 MILLS COMMERCIAL

THE CURRENT PENALTY AND INTEREST RATE IS 1.083% PER MONTH OR APPROX. 13.0% PER ANNUM

THE NEXT BILLING DATE IS MARCH FOR ACCOUNTS NOT PREPAID.

SEE REVERSE FOR PAYMENT INFORMATION / PAYMENT OPTIONS / TELEPHONE INQUIRIES
SEE THE ENCLOSED BROCHURE FOR FURTHER INFORMATION ON 1998 MUNICPAL TAXATION

EDUCATION	REGION OF HAMILTON-WENTWORTH	CITY OF HAMILTON

MAKE CHEQUE PAYABLE TO:	INSTALMENT 1		PREPAYMENT OPTION	
CITY OF HAMITON 71 MAIN STREET WEST HAMILTON, ONTARIO L8P 4Y5	DATE OF RECORD	FEB 01 / 98	DATE OF RECORD	FEB 01 / 98
TAX ACCOUNT 04 02820 2500	DATE DUE	FEB 28 / 98	DATE DUE	FEB 28 / 98
AMOUNT PAID	AMOUNT DUE	1,151.56	AMOUNT DUE	2.291.31

PAYMENT OF TAXES

PRE-AUTHORIZED PAYMENT	A monthly automatic payment plan is available to eligible taxpayers whereby payments are automatically withdrawn at the start of each month from your bank or other financial institution. Please contact the City of Hamilton Treasury Department for further details.
AT CITY HALL	The Office of Treasurer is open to receive payment of taxes from 9:00 a.m. 5:00 p.m. Monday to Friday, inclusive, holidays excepted. A mail slot is available at the rear doors and entrances to parking lots (cheques only).
AT A BANK	Taxes may be paid at any branch of a chartered bank in the City of Hamilton. Banks may charge for this service.
BY MAIL	When paying by mail, the taxpayer assumes the responsibility for the late arrival of payment in this office. Penalty will be charged if the payment is received after the due date. Mail payment to City Hall, Treasury Department, Taxation Section, 71 Main Street West, Hamilton, Ontario L8N 3T4.
PAYMENT	Please make cheques payable to the City of Hamilton. If receipt is required please return entire form with a self addressed envelope. Otherwise, include remittance portion only with payment.
PENALTIES	Penalties will be charged on unpaid taxes on; (a) the first day of default, and (b) the first day of each calendar month thereafter in which default continues but not after the end of the year in which the taxes are levied.
INTEREST	Interest for each month or fraction thereof will be added to all taxes due and unpaid from December 31st in the year in which the taxes are levied until the taxes are paid.
NOTE	Payments made on or after the date of record have not been deducted from arrears.

TELEPHONE INQUIRIES

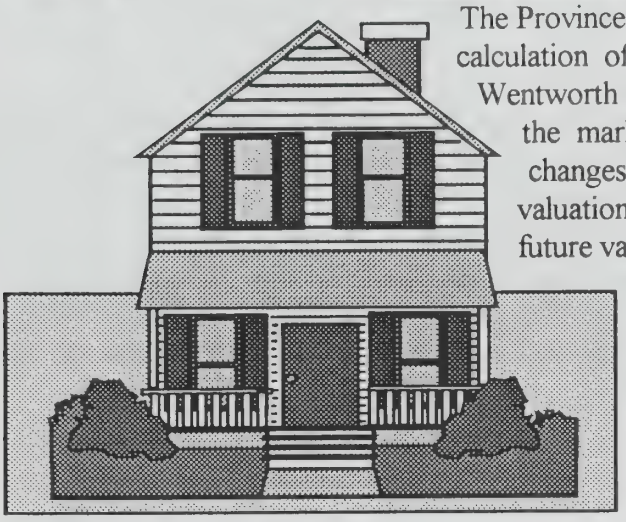
EDUCATION – PUBLIC BOARD	521- 2508	**CITY** – TAXES APPROVED BY CITY COUNCIL	546 - 2774
EDUCATION – SEPARATE BOARD	525 - 2930	**OTHER INFORMATION**	546 – 2774
REGION – TAXES APPROVED BY REGIONAL COUNCIL	546 - 2608	**MONTHLY AUTOMATED PAYMENT PLAN**	546 - 2774

TELLERS DATE STAMP

TELLERS DATE STAMP

1998 MUNICIPAL TAXATION

City of HAMILTON



The Province of Ontario has passed Legislation that will effect the calculation of your municipal taxes. Traditionally, in Hamilton-Wentworth and across the Province, assessments are based on the market value of properties for different years. These changes will update all property values to a June 30, 1996 valuation date and the Legislation commits to a schedule for future valuation updates.

One of the most significant changes to municipal taxation is the elimination of the Business Occupancy Tax (BOT), which was charged to each business operator. The tax revenues previously generated from this source must now be recovered from real property taxation.

1998 Pre-Levy Tax Billing

The 1998 **residential pre-levy tax bills** are based on "preliminary" realty assessment values taken from the November 1997 return of the assessment roll. The pre-levy tax bills will be based on the old assessment values, not the new Current Value Assessments. As in previous years, the taxes billed are calculated by multiplying the old assessment values by approximately 50 % of the prior years residential mill rate, as indicated in the legislation. Accordingly, neither the effects of provincial downloading nor changes to education financing make up a portion of the pre-levy bill.

The 1998 **non-residential pre levy tax bills** are also based on "preliminary" assessment values taken from the November 1997 return of the assessment roll. In addition, an assessment equivalent to the prior year's business occupancy assessment on the property as at November 1997 has been used to calculate the pre-levy tax. In accordance with the new legislation, the taxes billed are the sum of the *preliminary* realty assessment multiplied by 50% of the 1997 residential mill rate and the *preliminary* business assessment multiplied by the 50% of the 1997 non-residential mill rate. Again, the effects of provincial downloading and changing education financing are not part of the pre-levy billing.

1998 Levy Tax Billing

Traditionally, taxes have been based on residential and commercial mill rates. The new Legislation will create new property classes and the requirement for a different tax rate for each for each of the new tax classes. The Province has also made changes to the manner in which Education taxes are levied. Commencing in 1998, provincial wide education tax rates will be set for residential and non-residential taxation and added to municipal tax bills. These rates were previously determined by the local Boards of Education.

There will be a reduction in the amounts levied for education purposes in 1998 for residential taxpayers, as the Province is assuming partial responsibility. However, it is projected that the tax savings may be more than offset by an increase in the Regional portion of the levy due to the downloading of responsibilities to the Region by the Province of Ontario.

What you can expect

The Province is in the process of forwarding assessment notices to each property owner. Those notices will reflect the new **current value assessment** and those values will become the basis for municipal taxation. At the same time, municipal governments are expending much time and effort interpreting the new legislation, making appropriate policy decisions and redesigning their tax billing systems to incorporate the new requirements. In accordance with the legislation, the majority of the policy decisions are to be made at the regional level and the formulation of those decisions is ongoing. For these reasons, the City of Hamilton is not in a position to comment on projected 1998 individual property tax bills.

Other changes proposed in the Legislation

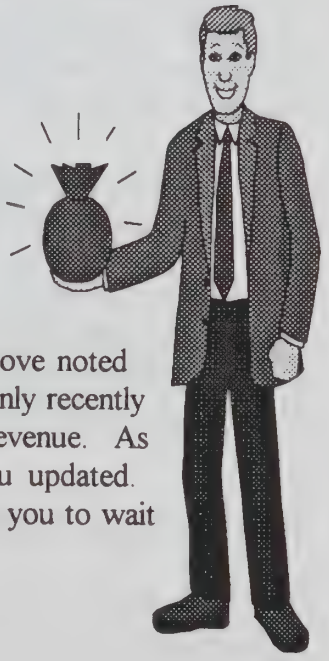
The Province of Ontario has also proposed changes in the Legislation, which will allow municipalities to ease the impact of reassessment for taxpayers. However, tax increases, as a result of changing responsibilities between levels of government and associated costs, can not be phased in, nor can they be deferred under a tax deferral scheme. As indicated previously, the implementation of programs designed to ease reassessment impacts, depend on policy decisions that are to be made by the Region of Hamilton-Wentworth. The legislation provides for the following programs:

a) Phased in tax increases/decreases.

b) A tax deferral scheme for qualified senior/disabled persons.

c) A tax rebate program for qualified charitable organizations.

d) Graduated commercial mill rates.



Before any decisions can be made concerning the criteria for any of the above noted programs much analysis is required. The data needed for the analysis has only recently been distributed to each municipality in the Province, by the Ministry of revenue. As decisions are made and local policy is formulated the City will keep you updated. Inasmuch as further details are as yet unavailable the City would encourage you to wait for further notice in this regard.

4. (h.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 December 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 1997 November 25th Tax Sale & Write Off of Tax Arrears on Vested Properties

RECOMMENDATION:

1) That, in accordance with the policy approved by City Council on October 29, 1996 for properties vested with the City on tax sale, the tax arrears applicable to the following property be written off as uncollectible:

321 King Street East	$ 58,078.12
647 King Street East	52,482.15
1063 Barton Street East	241,722.26

2) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102

3) That the Region and the Board of Educations share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately 75% of the amount deemed as uncollectible will be recovered from the Region and the Boards of Education.

BACKGROUND:

Attached is a summary indicating the disposition of 10 tax arrears properties which were offered for sale by public tender on November 25, 1997. You will note that 4 of these properties were redeemed prior to the tax sale, 2 of the properties were sold and the remaining 3 properties now vest with the City of Hamilton as there were no bids received

In accordance with the policy approved by City Council on October 29, 1996 for dealing with properties vested with the City as a result of the tax registration/sale process, staff are recommending that the taxes on these properties be written off. The City's share of the uncollected taxes and any other additional costs will be charged to the Reserve for Property Purchases. The balance of the uncollectible taxes will be charged back to the Tax Write Off Account in order to recover the deficiency amount previously credited to the Region and the Boards of Education.

Tax appeals have been initiated with the Provincial Assessment Department with respect to the vested property to establish the City's exempt status which will eliminate further taxation levies.

c.c. P. Noé Johnson, City Solicitor

City of Hamilton
Treasury

Disposition of Tax Arrears Properties Offered For Sale By Public Tender
Sale Date November 25, 1997

	Address	Type of Property	Comments
1)	321 King St. E	Multiple	No bids-Vests with City
2)	647 King St. E.	Multiple	No bids-Vests with City
3)	73 Garfield South	Residential	Redeemed Prior to Sale
4)	1063 Barton St. E.	Multiple	No bids-Vests with City
5)	133 Birch Ave.	Residential	Redeemed Prior to Sale
6)	51 Fullerton Ave.	Residential	Redeemed Prior to Sale
7)	61 Fullerton Ave.	Residential	Redeemed Prior to Sale
8)	1527 Upper Ottawa #12	Commercial	Sold at Tax Sale
9)	1527 Upper Ottawa #13	Commercial	Sold at Tax Sale
10)	398 Concession St.	Multiple	Sold at Tax Sale

4. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 December 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 1997 February 11th Tax Sale and Write Off of Tax Arrears on 606 Aberdeen Avenue

RECOMMENDATION:

1) That, in accordance with the policy approved by City Council on October 29, 1996 for properties vested with the City on tax sale, the tax arrears applicable to the following property be written off as uncollectible:

606 Aberdeen Avenue	$ 2,065,554.03

2) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102

3) That the Region and the Board of Educations share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately 75% of the amount deemed as uncollectible will be recovered from the Region and the Boards of Education.

BACKGROUND:

The City of Hamilton offered 5 tax arrears properties for sale by public tender on February 11, 1997 as indicated on the attached list. Four of these properties were redeemed prior to tax sale and the remaining property at 606 Aberdeen Avenue vested with the City of Hamilton as there were no bids received.

This property was subsequently sold on August 22, 1997 after being declared surplus to the City's requirements. During the period of vesting, the Property Department provided management services including repairs and maintenance, payment of utilities and the collection of rents from the existing tenants. A report summarizing the City's net financial position during this vesting period will follow once all of the actual revenues and expenditure amounts have been finalized.

In accordance with the policy approved by City Council on October 29, 1996 for dealing with properties vested with the City as a result of the tax registration/sale process, staff are recommending that the accumulated taxes on this property as at the date of acquisition be written off. The City's share of the uncollected taxes and any other additional costs will be charged to the Reserve for Property Purchases. The balance of the uncollected taxes will be charged back to the Tax Write Off Account in order to recover the deficiency amount previously credited to the Region and the Boards of Education.

Tax appeals have been initiated with the Provincial Assessment Department with respect to the vested property to establish the City's exempt status which will eliminate further taxation levies.

A further review of fees and disbursements paid to the receiver during the receivership (1989-1995) initiated by the first mortgagee, the Royal Bank, is being undertaken by the Law Department with a view to an action by the City against the receiver. A report in this regard will be forthcoming in the future.

c.c. P. Noé Johnson, City Solicitor
J. Schatz, City Clerk

City of Hamilton
Treasury

Disposition of Tax Arrears Properties Offered For Sale By Public Tender
Sale Date February 11, 1997

	Address	Type of Property	Comments
1)	606 Aberdeen Ave.	Commercial	No bids-Vests with City
2)	479 King St. E.	Multiple	Redeemed prior to sale
3)	482 King William	Residential	Redeemed prior to sale
4)	746 Rymal Rd. E.	Residential	Redeemed prior to sale
5)	872 Upper Sherman	Multiple	Redeemed prior to sale

4.(j)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November, 28
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Sexual Assault Centre (Hamilton & Area) – Request for old PC

RECOMMENDATION:

a) That the City Treasurer be authorized to donate to the Sexual Assault Centre a decommissioned PC 386 model.

b) That the Sexual Assault Centre be required to arrange pick up from the City and be responsible for any transportation and installation costs.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are several old PC 386 computers that are owned by the City that are being disposed of under the City policy for disposal of used equipment. With the rapid change in computer technology the models no longer have any functional use at the City. There is no resale value to them and most likely will be sold as scrap for approximately $50 to $75 each. Occasionally we receive requests from small non-profit organizations for old PC's to be donated to them for use in their office. These machines though obsolete for large business use are still functional for small offices for simple tasks like word processing and spreadsheet applications.

Although the City does not have a specific policy for dealing with requests of this nature a previous request from the CNIB was approved some years ago.

BACKGROUND:

The Purchasing Manager received a request (attached) from the Sexual Centre (Hamilton and Area) for a donation of a used Computer that is no longer in service at the City. The request and information on the organisation is attached for information.

c.c. J.G. Hindson, Director, Information Systems

Sexual Assault Centre (Hamilton and Area)

P.O. Box 57220, Jackson Station, Hamilton, Ontario L8P 4X1

November 17, 1997

Mr. Cecil Mascarenhas
Treasury Department
Hamilton City Hall
71 Main Street West
Hamilton, ON.
L8P 4Y5

Dear Mr. Mascarenhas:

Re: Computer Hardware Request

Thank you for taking the time to discuss what options are available to our organization in our search for donated computer hardware.

Please accept this letter as our request application for any previously used computer hardware you may be able to donate to the Sexual Assault Centre (Hamilton & Area).

If you have any unused computers (the 386 and 486 series) that you are willing to donate to the community, we would be happy to benefit from such a donation.

For any clarifications, please contact either Deru Apangu, Office Coordinator, or Shelley Groen, Financial Administrator, at 905-525-4573 between 9:00 - 5:00 p.m.

I have included the Centre's brochure which outlines who we are and the different programmes we provide to survivors of sexual assault in the Hamilton area.

Once again, thank you for your consideration and we look forward to your response.

Respectfully,

Deru Apangu
Office Coordinator

Shelley Groen
Financial Administrator

Encl.: (1)

FROM : SEXUAL ASSAULT CENTRE HAMILTON PHONE NO. : 525 7085 Nov. 17 1997 03:07PM P3

OUR SERVICES TO THE COMMUNITY

The Sexual Assault Centre provides the following services to women over the age of 16 years:

- support groups for women who have been sexually assaulted as adults or as children
- individual crisis counselling
- advocacy and accompaniment to the hospital, police station and court following a sexual assault
- volunteer opportunities

Note: referrals will be made for survivors who are male and/or under the age of 16 years.

The Sexual Assault Centre provides the following services to the community:

- 24-hour, seven day per week, anonymous crisis/support telephone line
- information on the Criminal Law System
- information and referral
- community outreach
- public education
- organizing community events, forums and demonstrations to protest ongoing violence against women and children

Services to survivors of sexual violence are confidential and free of charge. We respect your right to safety and privacy. Our address is confidential. There is no identifying sign on our door.

Our first commitment is to support and assist adult survivors of sexual violence in a respectful, non-judgemental way. We recognize and attempt to respond to the diverse needs of women based on their racial or ethnic background, sexual orientation, physical or intellectual abilities. We will provide information and ongoing support to you so that you may make your own choices and decisions.

Note: members of the Sexual Assault Centre are required, by law, to report all currently known or suspected cases of sexual and/or physical assault of a child.

WHO WE ARE

The Sexual Assault Centre (Hamilton & Area) is a feminist organization, comprised of women, which has a vision and belief that all women have a fundamental right to live free of violence, oppression and exploitation. We will work toward achieving this vision using the principles of equity, anti-discrimination and personal and political empowerment.

HOW YOU CAN HELP

- ♀ Educate yourself on the issue of violence against women and children.
- ♀ Write letters to newspapers Express concern at judicial decisions that minimize sexual violence against women & children. Speak out against myths and attitudes that blame women and children for being sexually assaulted.
- ♀ Talk to politicians about better funding to feminist service organizations, shelters and rape crisis/sexual assault centres.
- ♀ Demonstrate against violence against women and children. Join our TAKE BACK THE NIGHT march each September.
- ♀ Make a donation to your local rape crisis/sexual assault centre or women's shelter.
- ♀ Volunteer. Your time and skills are as valuable as your money.

Sexual Assault Centre
(Hamilton & Area)

P.O. BOX 57220, Jackson Station
Hamilton, Ontario
L8P 4X1



CRISIS: 525-4162
(24-hour, free & anonymous)

BUSINESS: 525-4573
FAX: 525-7085
T.T.Y.: 525-4592

United Way Member Agency

Ontario Coalition of Rape Crisis Centres Membership

Canadian Association of Sexual Assault Centres Membership

FROM : SEXUAL ASSAULT CENTRE HAMILTON PHONE NO. : 525 7085 Nov. 17 1997 03:07PM P4

WHAT IS SEXUAL ASSAULT?

Sexual assault is any unwanted sexual activity that one person forces upon another. Any kind of sexual contact without both people agreeing to it - from unwanted touching to intercourse -is sexual assault, and it is against the law.

Sexual assault can happen to anyone, but in most cases, women are sexually assaulted by men. Sometimes the man is a stranger but most women are assaulted by someone that they know: a date, a friend, a lover, a husband, a boss ....

All forms of sexual assault are aggressive acts in which the offender chooses to dominate and control another person.

WHAT IS INCEST/CHILD SEXUAL ASSAULT?

Any sexual activity between an adult and a child, or between children where the difference in age or power is significant, is considered to be child sexual assault. Sexual activity includes touching, sexual intercourse, or exposing sexual body parts. Sexual abuse may also include forcing a child to look at, pose for or participate in pornographic acts.

If the person who sexually assaulted you is a relative, this is called incest. Incest and child sexual assault are against the law.

Children do not have the necessary understanding or power to agree to participate in sexual activity with an adolescent or adult. The adolescent or adult is always 100% responsible for convincing, tricking, or forcing a child into sexual activity.

While most incest/child sexual offenders are male, children have been hurt by both men and women who are usually known and trusted by them.

IF YOU ARE SEXUALLY ASSAULTED, WE SUGGEST THAT YOU

- GO TO A SAFE PLACE
- Get support from someone you trust
- Call our 24-hour, anonymous crisis/support line at 525-4162.
- Get the medical attention you need.
- Decide if you want to report the sexual assault to the police.

You have the right to ask that a support person, including an interpreter, be with you if you go to the hospital, police or court.

HOW WE CAN HELP

We offer a 24-hour, anonymous crisis/support phone line.

We can provide you with support and information which may be helpful to you as you consider whether to report the crime or not.

We can accompany women to the hospital, police station and to court.

We can advocate on your behalf with hospital and/or legal personnel.

We offer support groups and individual crisis counselling to women who have been raped and/or sexually assaulted either as adults or as children.

We can tell you about applying for financial compensation through the Criminal Injuries Compensation Board.

We can tell you about services that are available in French.

CULTURAL INTERPRETATION

Cultural Interpreters help to break through language and cultural barriers. They interpret words as well as the beliefs, customs, cultural norms and values which lie behind the words. The Sexual Assault Centre can arrange for a Cultural Interpreter for women who speak a language other than English or French.

5.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 December 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. Kevin Beattie
Grants Co-ordinator

SUBJECT: Extension of 1998 General Grant Application Deadline

RECOMMENDATION:

The Grants Process Group respectfully recommends the following:

a) That the deadline for the 1998 General Grant applications previously approved by City Council October 28 as Monday January 5, 1998, be extended to Friday January 30, 1998 due to the postal interruption.

D Kevin Beattie

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

No additional resources are required.

BACKGROUND:

City Council at its meeting October 28, 1997 approved of starting the 1998 Grants process by making the General and Convention/Reception Grant applications and policies available. On a request basis the material is mailed out. However, as a result of the ongoing postal service interruptions, the deadline is being recommended for an extension to the end of January, 1998.

CITY OF HAMILTON

- RECOMMENDATION -

6.

DATE: 1997 December 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng
Chief Administrative Officer

SUBJECT: 1997 Current Budget Appropriation
- Property Department

RECOMMENDATION:

a) That the Current Budget reduction packages totally $152,430 attached hereto as Schedule A be approved relative to the 1997 Current Budget for the Property Department; and

b) That the Treasurer be authorized to amend the appropriations accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The reduction target assigned the Property Department for the 1997 Current Budget was $275,000.

Elimination of the Property Director position generated annualized budget savings of $122,570 leaving a balance of $152,430. This remaining reduction target was assigned on a proportional basis to the Real Estate Division, including a 10% additional target for a low service rating, for a total of $50,120 and to the Building Operations and Maintenance Division for a total of $102,310.

BACKGROUND:

At the end of the 1997 Current Budget process the Committee of the Whole assigned responsibility for achieving targeted savings for the Human Resources Centre, Information Systems Department and the Property Department to the Corporate Management Team.

The previous Council has approved recommendations from the Finance and Administration Committee for Human Resources and Information Systems. This report presents recommendations to achieve the budget reduction target for the Property Department, thereby completing the necessary reductions to the current budget as directed by City Council for 1997.

.../2

DISCUSSION:

The City Clerk and the Director of Culture and Recreation have completed a review of the elements of the former Property Department budget that was assigned to them. Schedule A presents a summary of reductions and service impacts for each.

Both Department Heads and the Corporate Management Team support these recommendations.

/RF

c.c. A.C. Ross, Treasurer
J.J. Schatz, City Clerk
R. L. Fair, Director of Culture and Recreation
Members, Corporate Management Team

.../3

SCHEDULE A

A. REAL ESTATE DIVISION:

BUDGET REDUCTION	SERVICE IMPACT	ANNUALIZED DOLLAR VALUE
Reduce Salaries and Wages (CH51001-30002 and Related Benefit Accounts)	Eliminate 50% of funding base for Administrative Assistant transferred to Clerk's as that service is no longer provided to the Real Estate Division by that position.	$22,190
Eliminate Training Funding (CH55204-30001) - $13,160 (CH51229-30002) - $ 1,300 (CH55204-30002) - $ 830	No provision for staff training for 1997.	$15,290
Eliminate Software Funding (CH56005-30001) - $5,630 (CH56005-30002) - $ 160	Elimination of funding for software purchase from current budget.	$ 5,790
Eliminate Office Supply Funding (CH56001-30001)	Office supplies for the Division will be funded within Clerks Department.	$5,250
Eliminate Postage Funding (CH56004-30001)	As above	$ 600
Eliminate Advertising and Promotion Budget (CH 56302-30001)	As above	$ 1,000
SUB-TOTAL REAL ESTATE		$50,120

.../4

B. BUILDING OPERATIONS AND MAINTENANCE DIVISION:

BUDGET REDUCTION (CH56005-30002) - $ 960 (CH56005-31001) - $3,700 (CH56005-46001) - $2,100 (CH56005-46010) - $ 400	**SERVICE IMPACT**	**ANNUALIZED DOLLAR VALUE**
Eliminate Software Funding (CH55204-30002) - $1,830 (CH55204-31001) - $8,330 (CH55204-46001) - $7,530 (CH55204-46010) - $3,330	No funding for software in current budget	$7,160
Eliminate Funding for Staff Training (CH57315 - various)	No provision for staff training for 1997	$21,020
Reduce Funding for Painting Maintenance Program (CH51001-46010 and Related Benefit accounts)	Analysis suggests this item can be reduced as a significant number of facilities have been painted in the past several years.	$ 9,060
Delete CUP Maintenance Supervisor's Position	Position is vacant. Workload to be redistributed.	$65,070
SUB-TOTAL MAINTENANCE DIVISION		$102,310

7. (a.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1997 November 28

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Sub-Committees of the Finance and Administration Committee

BACKGROUND:

For the 1995-1997 term of City Council, the following Sub-Committees of the Finance and Administration Committee were in existence:

Hamilton Farmers Market Sub-Committee
Hamilton Municipal Employees Retirement Fund Committee
Hamilton Status of Women Sub-Committee

The Finance and Administration Committee should make a determination on its Sub-Committees at this time and recommend the appropriate Aldermanic appointments as required.

For the Committee's information, the composition of the above-noted Sub-Committees is as follows:

a) **Hamilton Farmers Market Sub-Committee**

The mandate of the Sub-Committee is:

a) To maintain and increase the importance of the Hamilton Farmers' Market with local community, visitors, tourists and stallholders, as an integral part of the downtown core.

b) To study, develop and make recommendations to maximize the potential viability and flow of goods and services.

c) *To liaise between stallholders and the City of Hamilton on matters relating to Market Operations and the Current Operating Budget.*

2 Members of City Council
2 Citizen Members
2 representatives from the Hamilton Stallholders' Association

b) **Hamilton Municipal Employees Retirement Fund Committee**

Makes recommendations on the Hamilton Municipal Employees Retirement Fund.

Chairman of the Finance and Administration Committee
Vice-Chairman of the Finance and Administration Committee
2 Members of City Council
2 Employees who are Members of the Plan - one person to represent the fire fighters and the second person to represent the remaining Members and pensioners
Supervisor of Pensions and Group Insurance from the Treasury Department who sahll be the Secretary of the Committee

NOTE: The City of Hamilton is obligated to establish and continue a Hamilton Municipal Employees Retirement Fund Committee and to allow for employee representation on the Sub-Committee.

c) **Hamilton Status of Women Sub-Committee**

Makes recommendations on issues affecting the status of women in the City of Hamilton and co-ordinates the annual Women of the Year Banquet.

2 Members of City Council
15 Citizen Members

Citizen member vacancies on the Hamilton Farmers Market Sub-Committee and the Hamilton Status of Women Sub-Committee have been advertised and Orientation Sessions for citizens interested in serving on these two Sub-Committees were held on 1997 November 24 and November 26. The deadline for applications is 1997 December 12.

cc Stan Hollowell, Manager, Administrative Services, City Clerk's Department
Mike Kay, Supervisor of Pensions, Treasury Department

7. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 December 2

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Extension of 1997 Business Licences

RECOMMENDATION:

a) That the following City of Hamilton By-laws be amended to provide for the extension of 1997 Business Licences until January 31, 1998:

i) By-law 93-069 to licence, govern and regulate Establishment and Mobile Licences,
ii) By-law 76-32 to licence, regulate and govern Body Rub Parlours,
iii) By-law 79-144 to licence, regulate and govern Adult Entertainment Parlours,
iv) By-law 95-173 to licence, regulate and govern stores in which Adult Videos are provided, and
v) By-law 80-259 to licence, regulate and govern Second Level Lodging Homes; and

b) That the attached by-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

In 1997 the Licence Division issued 5,623 business licences. The annual revenue from business licences is approximately $1,000,000. The renewal and enforcement procedures for non renewed licences will be delayed by one month. This delay will result in an estimated loss of approximately $525 in short term interest revenue.

BACKGROUND:

As members of the committee are aware, all City of Hamilton business licences for both mobile and establishment licences expire on the 31st day of December, 1997. The usual practice is to send renewal notices to all licensees by November 15, in order to facilitate renewals by the end of December.

As a result of the current postal strike, renewal notices have not been sent to the various businesses. This affects their ability to renew prior to the expiration of their current licences. Due to the uncertainty of a settlement with the postal workers and the shorter time frame to renew, as well as the fact that City Hall will be closed from December 25, 1997 to January 5, 1998, the Licence Division is requesting the authority to extend the 1997 licence period to January 31, 1998

JJS\DR\cg

c.c. Patrice Noe Johnson, City Solicitor
Allan Ross, Treasurer

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend Business Licensing By-laws Nos. 93-069, 76-32, 79-144, 80-259 and 95-173

Respecting:

1997 LICENCE EXPIRY DATES

WHEREAS the mail strike that began November 20, 1997 disrupted the sending of the normal renewal notices, and it is expedient to extend 1997 business licence expiry dates to January 31, 1998;

AND WHEREAS the change of expiry dates is intended to apply to City of Hamilton business licences issued for the year ending December 31, 1997 under: By-law 93-069 being the City of Hamilton Licensing Code, By-law 76-32 regulating body-rub parlours, By-law 79-144 regulating adult entertainment parlours, By-law 80-259 regulating second level lodging houses, and By-law 95-173 regulating adult video stores;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. **(1)** Section 6 of the City of Hamilton Licensing Code, being By-law No. 93-069 as amended, is further amended by adding the following subsection as subsection (5):

> "(5) Notwithstanding subsections (1) and (2), licences issued under this by-law for the year 1997 shall expire on January 31, 1998."

(2) The expiry dates in Column 3 of Schedule 1 to By-law No. 76-32 as amended, being a by-law to regulate Body-Rub Parlours, is further amended by replacing "December 31" in each line where it occurs, with the following:

> "December 31, except in the case of licences issued for the year 1997 which shall expire January 31, 1998"

(3) Section 26 of By-law No. 79-144 as amended, being a by-law to regulate Adult Entertainment Parlours, is further amended by adding the following subsection as subsection (3):

> "(3) Notwithstanding subsection (2), licences issued under this by-law for the year 1997 shall expire on January 31, 1998."

(4) Section 2 of By-law No. 80-259 as amended, being the Second Level Lodging House By-law, is further amended by adding the following as subsection (5):

> "(5) Licences issued under this by-law expire on December 31 of the year for which they were issued unless sooner revoked or suspended pursuant to the terms of By-law No. 93-069 as amended, except those licenses issued for the year 1997 which shall expire on January 31, 1998."

(5) Section 14 of By-law No. 95-173 as amended, being a by-law to regulate stores selling adult videos, is further amended by repealing and replacing section 14 with the following:

> "14. Every licence issued under this by-law, unless sooner revoked or suspended, shall expire on December 31 of the year for which it was issued, except in the case of licences issued for the year 1997 which shall expire on January 31, 1998."

2. **(1)** This by-law comes into force on the day of its enactment.

(2) In all other respects, Licensing By-laws 93-069, 76-32, 79-144, 80-259 and 95-173 all as amended, are hereby confirmed without change.

PASSED this day of A.D. 1997.

City Clerk Mayor

THE PARKING AUTHORITY OF THE CITY OF HAMILTON

PETER G. BAKER
GENERAL MANAGER

8.

COPY
CHAIRMAN
ALDERMAN VINCE AGRO
VICE CHAIRMAN
ALDERMAN FRANK D'AMICO
MEMBER
ALDERMAN TERRY ANDERSON

DATE: *October 15, 1997*

REPORT TO: *Susan K. Reeder, Secretary*
Finance and Administration Committee

FROM: *Peter G. Baker, General Manager*
*The **Parking Authority of the City of Hamilton***

SUBJECT: *Internal Financing Schedule of "Pay-on-Foot" Parking Revenue Control*

RECOMMENDATION:

*That the Finance and Administration Committee approve the re-scheduling of the payment schedule (attached) by the **Parking Authority** to the City by moving the 31-Dec-1997 payment to 5-Jan-1998 and adjusting the remaining parts of the schedule accordingly.*

Peter G. Baker, General Manager

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

*For the City the financial implications are minimal because only a five day extension is requested with minimal impact on earned interest. For the **Parking Authority** this extension allows the Authority to accommodate the $150,000 payment in 1998 from the savings realized on salaries which were substantially delayed from the May/1997 date set forth in the 1997 operating budget. These delays were caused by tendering procedures and various legal documents having to be prepared. Had the equipment been put into place on time then personnel savings would have been realized in 1997.*

BACKGROUND:

*This action was approved by the Board of the **Parking Authority** at its meeting of 13 October, 1997.*

80 MAIN STREET WEST, *(AT SUMMERS LANE)*, HAMILTON, ONTARIO L8P 1H6 • TELEPHONE (905) 540-6000 • FAX (905) 540-6001

Appendix "A" referred to in Section 21 of the Twentieth Report of the Finance and Administration Committee for 1997

The City of Hamilton
Treasury

Internal Financing Through Reserve

Pay-on-Foot Parking Authority Capital Projects

From the Reserve for Debt Charges, A/c Centre No. CH 00108
The rate based on 5 year Canada Bond Rate as at September 16, 1997
Amortized Over Five Years @ The Rate Of 5.53%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
		Pay-On-Foot			
		Eatons Centre and Convention Centre Parkade			
		1997			
					650,364.00
24-Sep-97		140,343.61	9,656.39	5.53%	510,020.39
31-Dec-97	150,000.00	121,795.87	28,204.13	5.53%	388,224.52
31-Dec-98	150,000.00	128,531.18	21,468.82	5.53%	259,693.34
31-Dec-99	150,000.00	135,599.61	14,400.39	5.53%	124,093.73
31-Dec-2000	150,000.00	124,093.73	6,862.38	5.53%	0.00
31-Dec-2001	130,956.11	0.00	0.00	5.53%	0.00
31-Dec-2002	0.00				
	730,956.11	650,364.00	80,592.11		

9. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 December 3

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: W.H. Shoemaker
Fire Chief

SUBJECT: Purchase of Thermal Imaging Cameras

RECOMMENDATION:

That a purchase order be issued to MSA Canada Inc. in the amount of $47,800 (including all taxes) for the purchase of two (2) thermal imaging cameras.

W. Shoemaker

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds are available within the Hamilton Fire Department 1997 Current Budget. The acquisition of the thermal imaging cameras is a higher priority than the rope rescue, water rescue and radio equipment, originally budgeted to be purchased in 1997.

The net cost to the City for this purchase is $46,176 after G.S.T. rebate. Although MSA Canada Inc. has advised us of a price increase since the purchase of the original camera, they have agreed to provide us these cameras at the original, lower price until the end of this year.

All purchasing policies and procedures have been followed and this recommendation is endorsed by Purchasing.

BACKGROUND:

A recent development in the fire service is the use of thermal imaging technology for firefighting and rescue operations. Advanced thermal imaging technology allows firefighters to see objects clearly through smoke and darkness. By looking through the camera, firefighters can spot dangerous, unseen obstacles, accurately determine the location of victims, and pinpoint the location of a fire in hidden or concealed spaces. Given these benefits, thermal imaging technology enhances firefighter protection and allows them to become more efficient in doing their jobs.

BACKGROUND - Continued

Earlier this year, a thermal imaging camera was donated to the Hamilton Fire Department by Jim and Merle Byrnes. The introduction of this camera has been an overwhelming success and has assisted the firefighters on several occasions, the most notable of which include the recent fires at City Hall. In these instances, firefighters were able to accurately pinpoint the location of the fire within the roof and wall areas of City Hall, thereby preventing the spread of the fire and minimizing the damage required to extinguish these fires.

The Hamilton Fire Department is proposing to purchase two (2) additional thermal imaging cameras so that one of these cameras is available within each of the three (3) fire districts that comprise the City.

WHS/so

10. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 December 03

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng
Chief Administrative Officer

W.H. Shoemaker
Fire Chief

SUBJECT: Emergency Preparedness

RECOMMENDATION:

1. That the City of Hamilton be authorized to contract with the Canadian Centre for Emergency Preparedness (CCEP) for assistance in revising the City's Emergency Plan and to co-ordinate activities that will improve the overall effectiveness of the Municipal Disaster Control Group; and,

2. That the contract for the initial scope of work covering the period January to April 1998 is not to exceed an amount of $16,000; and,

3. That the City Treasurer recommend the method of financing.

W. Shoemaker

J.G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Prior to receiving Joint Emergency Preparedness Program (JEPP) funding in April 1998, an initial amount of $16,000 is required to facilitate background work with the Municipal Disaster Control Group for the period of January to April 1998.

No budget provision has been made for this activity.

BACKGROUND:

The City of Hamilton through a Council resolution on Tuesday, October 28, 1997 submitted an application through the Joint Emergency Preparedness Program (JEPP) for funding to revise the City of Hamilton Emergency Preparedness Plan.

DISCUSSION:

Unfortunately, Emergency Measures Ontario will not announce the approved JEPP grants until April of 1998. Given the recent occurrence of the Plastimet fire, the City of Hamilton must not delay those actions that will assist in the development of a comprehensive emergency plan.

In the interim period until the announcement of the approved grants, there is a significant amount of background work that must be undertaken before the Emergency Plan is drafted and circulated. To this end, it is proposed that the City of Hamilton contract with the Canadian Centre for Emergency Preparedness effective January 2, 1998 for the services of an Emergency Planning Officer to undertake the following:

- Preparation of a work plan for the Emergency Planning Officer.
- Development of an emergency preparedness process to be undertaken (ie. formation of emergency response committee and its mandate).
- Complete review of existing emergency by-laws and plans, not only for the City of Hamilton, but also all City Departments.
- Review, revise, and circulate the Emergency Alerting System for the City of Hamilton.
- Prepare and/or update the resource manual, which outlines what materials and equipment are readily available within the City, including but not limited to the City of Hamilton=s primary and secondary Emergency Operation Centres, Mobile Command Posts, and any other specialized equipment.

The Canadian Centre for Emergency Preparedness has advised that it is in a better position to provide this assistance within the next month, rather than wait until the JEPP grants are announced. If the announcements occur in April, and the selection process of a candidate to fill this position does not take place until after the announcements are made, it is unlikely that this position will be filled until May or June of 1998. In the meantime, a great deal of valuable time will have been wasted on what could have been otherwise spent on revising the City of Hamilton Emergency Plan.

JGP/WHS/so

c.c. A. C. Ross, Treasurer

10. (a.) (i)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1997 December 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the cost of Revisions to the Emergency Preparedness Plan

RECOMMENDATION:

That the cost to contract with the Canadian Centre for Emergency Preparedness (CCEP) for assistance in revising the City's Emergency Plan at an estimated cost not to exceed $16,000 be funded from the Reserve for Contingency, Account Centre No. CH 00115

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are sufficient funds within the identified reserve to finance this one-time expenditure.

BACKGROUND:

City Council at its meeting October 28, 1997 approved of submitting an application for funding through the Joint Emergency Preparedness Program (JEPP) to revise the City's Emergency Preparedness Plan. In a separate report to be considered by the Finance and Administration Committee from the C.A.O. and Fire Chief, there is a proposal to undertake some preliminary background work starting January 1998 until April 1998. The Treasurer is asked to recommend the method of financing. The identified reserve is the same funding source as that used to finance the JEPP application noted above.

c.c. J.G. Pavelka, C.A.O.
W.H. Shoemaker, Fire Chief

CITY OF HAMILTON

- RECOMMENDATION -

11.

DATE: 1997 December 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo
Commissioner of Public Works and Traffic

SUBJECT: Replacement of Three (3) Mechanical Street Sweepers, Units 9565, 9566 and 9567, Fleet Services

RECOMMENDATION:

a) That a purchase order be issued to Joe Johnson Equipment Inc., Barrie in the amount of $354,147.10, including all applicable taxes, for the replacement of two (2) Mechanical Street Sweepers, units 9565 and 9566 for Fleet Services, being the lowest acceptable tender received in accordance with specifications issued by Purchasing and Vendor's tender and be financed through the Reserve for Mobile Equipment Account No. Ch 5X503 00101.

B) That a purchase order be issued to Champion Road Machinery Sales, Ltd., Brampton in the amount of $175,720.00, including all applicable taxes, for the replacement of one (1) Mechanical Street Sweeper unit #9567 for Fleet Services, being the lowest acceptable tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649751023.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the 1996 and 1997 Fleet Services vehicle replacement programme, as approved by City Council on January 30, 1996 and March 18, 1997. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

Neovac Ltd., Markham	Bid A - Athey Model 2TE4*	$159,827.00
	Bid B - Athey Model M8A *	184,460.00
	Bid C - Athey Model M9D *	180,860.50
VQuip Inc., Burlington	Sweeprite Model 3300 *	173,068.91
Joe Johnson Equipment, Barrie	Elgin Model Eagle	177,073.55
Champion Road Machinery, Brampton	Johnston Model 4000	175,720.00

* After extensive review by the operating departments, including working demonstrations in specific locations, it was concluded that the sweeper models bid by these companies would not meet the required operational and performance criteria of the City. The existing fleet consists of eleven Athey Mobile M9D's, exclusively, which due to numerous manufacturing deficiencies, has resulted in unacceptable production, downtime and expense to the Corporation.

Testing by staff has determined the Elgin as the lowest total acquisition cost with the Johnston unit having higher but acceptable costs. By purchasing two Elgin Eagles, and one Johnston Model 4000, this will enable Fleet Service's staff to analyze a return on investment and compare operating cost evaluations during a head to head controlled worked environment, thereby improving sweeper costs in the future.

This tender, was advertised and six suppliers were notified. Four responded and two did not reply.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme and will not increase the Fleet complement. The units being replaced will be disposed of at a future Auction.

DM/DL

cc: C. Guthro, Manager of Fleet Services
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator
C. Rendell, Intermediate Buyer, Purchasing

12.

OFFICE OF THE CITY CLERK

MEMORANDUM

****

TO: Ross Fair
Director of Culture and Recreation

Allan Ross
Treasurer

YOUR FILE:

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

OUR FILE:
PHONE: 546-2753

SUBJECT: City of Hamilton Donation Policy

DATE: 1997 September 25

As you are aware, the Finance and Administration Committee, at its meeting held Tuesday, 1997 September 23rd were in receipt of your report dated 1997 September 16th respecting the above noted matter.

This will confirm that as a result of discussions, and some concerns being expressed, the Committee agreed that this matter be tabled for one month.

Trusting that this confirmation is of assistance to you.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 September 16

REPORT TO: Mrs. Susan Reeder, Secretary
Finance and Administration Committee

FROM: A.C. Ross
Treasurer

R. L. Fair, Director
Department of Culture and Recreation

SUBJECT: CITY OF HAMILTON DONATIONS POLICY

RECOMMENDATION:

a) That the City of Hamilton Donations Policy, attached hereto as Schedule A, be approved.

b) That City staff be authorized to undertake all actions necessary to implement the Policy.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

A formalized donations policy will facilitate the soliciting and receipt of donations, also, provide clear guidelines for the issuance of Income Tax receipts to qualified donors as per the Income Tax Act.

There are no staffing implications as policy will be managed with existing staff complements.

Legal agreements to document the receipt of certain large donations may be required and would have to be drafted by the City Solicitor.

BACKGROUND:

Several Departments have over the years been involved with community groups and organizations in the development of services and programs. In many cases, these efforts have resulted in supplementary fund-raising efforts involving community groups, agencies, individuals and private corporations. Some Departments are also the recipient of donations of goods and services.

TABLED
~~App'd~~ by Committee 1997 Sept. 23
for one month
App'd by Council

In recent cases, private corporations have come forward with offers to finance public initiatives. Construction of playgrounds (Saturn dealers) and outdoor basketball pads (NIKE Canada, with financing from the Altamira Foundation) are two recent examples.

Staff have been guided by an informal procedure developed in 1996 by the City Treasurer. The document entitled "City of Hamilton Acceptance of Donations, Gifts and Sponsorship Guidelines" and was intended for use while a full donations policy was being developed.

The need for a clear policy was identified by the City Treasurer in order to facilitate the marketing to potential donors and to handle in a proper fashion the receipt of donations.

The Director of Culture and Recreation was requested to convene a working group consisting of the potential "receiving" departments - Public Works and Traffic; Fire and Culture and Recreation to review the policy drafts and author the policy and report.

The Parks Staff Advisory Committee was also consulted in the preparation of the policy.

DISCUSSION

This policy will provide a standardized approach to soliciting and receiving donations of funds, goods and services. A marketing strategy will be developed to promote opportunities for individuals, groups, associations and businesses to make a contribution towards the efforts of the City and its Departments, in accordance with appropriate tax regulations and civic priorities.

Fund raising is particularly important to the work of the Department of Public Works and Traffic; the Fire Department and the Culture and Recreation Department. The playstructure program, parks equipment donations/support and the boulevard beautification program are examples of how Public Works staff work with individuals and groups to offset costs of their projects. Donation of artifacts and art as well as financial donations to increase program subsidies are two examples relative to the Culture and Recreation Department. This Department already has existing policies relative to the receipt and deaccessioning of artifacts. These policies are complimentary to the proposed Donations Policy. Donation of rescue equipment is one example of how the Fire Department is utilizing donations to maintain or increase service effectiveness.

This policy would not have a negative impact on current fund-raising initiatives.

Schedule A

CITY OF HAMILTON DONATIONS POLICY

1.0 POLICY STATEMENT:

Continuing financial pressures have forced many communities to look at a variety of means to ensure the continuation of important and needed services. Some have taken a proactive approach to seeking out financial partners for projects while others have developed strategies for soliciting donations of goods, services and dollars for City programs, services and projects.

Hamilton City Council has, for the past number of years, considered and approved a number of contributions from outside sources as a funding mechanism to ensure that projects go forward, in spite of reducing civic budgets. The City wishes to increase its ability to solicit and receive donations for approved projects and services, while adhering to all appropriate legislative requirements.

2.0 PURPOSE:

The purpose of this policy is to provide principles and guidelines for the solicitation and receipt of donations to approved City projects and programs. The City acknowledges and encourages the interest of the community in donating gifts of cash, land and buildings, materials, services or goods to the City for the purpose of enhancing public facilities or services. The City reserves the right not to accept donations that do not contribute to the public good or are beyond the capacity of the City to receive and manage. The City will acknowledge contributions of sponsors and donors in a manner befitting the gift and in keeping with City guidelines.

3.0 PRINCIPLES:

3.1 The City will solicit and receive donations of funds, services and goods that enable it to reduce the cost of approved projects and programs; enhance existing services that do not increase operating costs; and finance desired projects and services that are not funded from the tax levy or other municipal sources.

3.2 The donation of funds, goods or services will be received by the City on the understanding that no significant consideration will be returned to the donor, as per the Income Tax Act. Nominal recognition in the form of letters or signs of acknowledgement may be made.

3.3 The receipt or rejection of funds, goods or services will be at the sole discretion of City Council, or its designated officers.

3.4 City Council shall reserve the right to designate donated funds for approved civic projects or programs with due regard to the wishes and intentions of the donor.

3.5 All donations become the sole and unfettered property of the City of Hamilton.

4.0 AUTHORITY:

The City of Hamilton as a Canadian Municipality can accept gifts from individual and corporate taxpayers per paragraph 118.1(1)(d) of the Income Tax Act subject to the limitations included in subsection 118.1(1) and 110.1(1)(a).

Hamilton City Council is solely responsible for the approval of projects or programs for which donations are to be dedicated. Authority for the administration of the policy is delegated to staff.

5.0 DEFINITION OF A CHARITABLE DONATION OR GIFT:

A gift, within the context of the Income Tax Act, is a voluntary transfer of property without valuable consideration. A gift is made in any circumstance where all three of the conditions listed below are satisfied.

(a) Some property, usually cash, is transferred by a donor to the City.

(b) The transfer is voluntary. Any legal obligation on the payer would cause the transfer to lose its status as a gift.

(c) The transfer is made without expectation of return. No valuable consideration, no benefit of any kind, to the donor or anyone designated by the donor may result from the payment.

Compliance with this general rule is imperative to ensure that the gift(s) are deductible contributions.

6.0 EXAMPLES WHERE A DONATION OR GIFT IS CONSIDERED CHARITABLE:

6.1 Where the gift, as defined above, is given to the City with a general direction as to its use, i.e. a specific program or project.

6.2 Where a voluntary payment is made to the City in order to assist it in paying the expenses of a non-municipal organization which is regularly supported by the municipality. The following further defines this relationship:

- The municipality must have an active involvement in the 3rd party organization through representatives on the executive.
- The organization must be in receipt of financial assistance from the City.
- The donations would be paid to the 3rd party via a grant.
- The organization should be community wide and be open or available to all City of Hamilton residents, or,
- The 3rd party organization is raising funds for a municipal project which has been approved by Council.
- The City of Hamilton reserves the right to designate as they deem appropriate (with due regard to the wishes and intentions of the donor).

6.3 Where the gift is given to the City with a request that it pass the money on to an associated organization, such as a community organization within the municipality, if the designated organization operates under the authority of the municipality, such as a committee established by a municipal by-law.

Note:

Where a voluntary payment is made to a Canadian municipality with a request the municipality pass the money along to a community group with which the municipality has little or no active involvement, it is the position of Revenue Canada that where a municipality is simply acting as a conduit for some other organization in receiving a payment, the payment cannot be considered a gift to the municipality. As such the municipality may not issue an income tax receipt.

7.0 CRITERIA FOR RECEIPT OF CASH DONATIONS:

Funds will be received for approved projects and programs in order to:

- Reduce costs from the tax levy.
- Enrich approved projects and programs on the condition that no additional ongoing operating costs accrue to the City.
- Enable non-funded projects and programs to operate, conditional upon Council approval.

8.0 FORMATION OF A CITY-WIDE DONATIONS COORDINATING GROUP:

In order to ensure the proper marketing of donor opportunities and administration of donations it is proposed that a standing cross-Departmental working group be struck to oversee the program. The Parks Staff Advisory Committee would be an example of this approach.

This group would report through the Chief Administrative Officer and the City Treasurer to the Finance and Administration Committee relative to the amount and nature of donations. Due to the relevance to programming, other standing committees of Council will be briefed.

The Group would consist of one staff from the Treasury, one from the Clerks Department and at least one from each of "receiving Departments", i.e. Public Works and Traffic; Fire and Culture and Recreation, to be selected by the respective Department Head.

The mandate of this Working Group would be to:

8.1 On an annual basis produce and distribute marketing information highlighting ways in which individuals, groups, associations and businesses can make donations.

8.2 Develop and implement procedures for receipt and recording of donations in accordance with this policy.

8.3 Report through the Chief Administrative Officer and the City Treasurer to the Finance and Administrative Committee on the nature and amount of donations.

8.4 Maintain files as appropriate.

8.5 Provide an annual evaluation of the success of the donations program for the information and action of the Chief Administrative Officer.

9.0 Procedures for Receiving Donations:

The following general procedures will apply to all programs. Additional program specific guidelines may be developed.

9.1 All donations are received subject to the approval of the appropriate Department Head and/or the Coordinating Committee and may be subject to a requirement to a pre-authorization by the Department Head or the Coordinating Committee where appropriate.

9.2 All donations of funds must be made payable to the **City of Hamilton**, and are to be received by the Department Head responsible for the program for which funds are intended.

9.3 All donations of funds are forwarded immediately upon receipt to the Treasurer for deposit to the appropriate account.

9.4 All donations of land, buildings, goods, materials and services will be reviewed as to appropriateness by the receiving Department and in particular with the Coordinating Committee with regards to "estimate of value."

9.5 Documentation of all donations is to be forwarded to the Coordinating Committee for filing and recording purposes.

9.6 A letter of acknowledgement is issued by the receiving Department Head.

9.7 Documentation of the donation is to be forwarded to the Coordinating Committee for processing and recording.

9.8 Additional gestures of appreciation or recognition, if warranted or requested, will be developed by the receiving Department Head, in consultation with the Coordinating Committee, the Mayor and the Chairperson of the Standing Committee.

9.9 A report is prepared by the receiving Department Head and forwarded to the appropriate standing committee of Council.

9.10 If requested, the Treasurer in due course will issue an income tax receipt.

10. DISPUTE RESOLUTION:

Any dispute relative to the application or interpretation of this policy is to be referred to the Coordinating Committee; then to the Chief Administrative Officer and City Treasurer; and then, ultimately, to the Finance and Administration Committee, if required for adjudication.

2.

CONSENT AGENDA

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1997 December 11th
2:00 o'clock p.m.
Room 233, City Hall

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the Regular Meeting held on Tuesday, 1997 October 21st.

B. TREASURER

(i) Supply and Delivery of Xerographic Paper to Various Departments as required to September 1998.

(ii) Authorization to enter into Extension Agreements on Specific Properties for the Payment of Realty Tax Arrears.

(iii) Tax Applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45, Statutes of Ontario 1990

C. CITY SOLICITOR

Transfer of Debenture Proceeds

D. BUILDING COMMISSIONER/DIRECTOR OF CULTURE AND RECREATION

Barrier Free Design Modification to Specific Locations at City Hall - Construction Contract

E. DIRECTOR OF INFORMATION SYSTEMS/CHIEF ADMINISTRATIVE OFFICER

(i) Payment of 1998 Information Builders Software Maintenance Invoice

(ii) Payment of 1998 Geac Financial Software Maintenance

F. DIRECTOR OF CULTURE AND RECREATION

Closure of Culture and Recreation Department Capital Projects

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

(i) 1998 Meeting Schedule

(ii) Information Items

Tuesday, 1997 October 21
1:30 o'clock p.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

Present:	Alderman B. Charters, Chairman Alderman D. Ross, Vice-Chairman Mayor Robert M. Morrow Alderman D. Wilson Alderman D. Drury Alderman M. Kiss Alderman T. Anderson
Regrets:	Alderman C. Collins - City Business Alderman V. Agro - Regional Business
Also Present:	Alderman G. Copps Alderman M. Caplan Alderman F. Eisenberger Alderman W. McCulloch J. Pavelka, Chief Administrative Officer A. Ross, Treasurer P. Noé Johnson, City Solicitor J. Schatz, City Clerk M. Watson, Real Estate Division, City Clerk's Department P. Hooker, Law Department J. Cardwell, Fire Department G. Desjardins, Fire Department Fire Chief W. Shoemaker K. Roberts, Hamilton Public Library J. Johnston, Commissioner of Human Resources B. Janssen, Planning Department Susan K. Reeder, Secretary

A G E N D A

1:30 O'CLOCK P.M. - DELEGATIONS

A. Hamilton Professional Fire Fighters Association - Long Term Annual Medical Surveillance of Fire Fighters

The Committee was in receipt of correspondence from the Hamilton Professional Fire Fighters Association, Local - 288, I.A.F.F., dated 1997 October 21.

Chief Shoemaker addressed the Committee on this issue and advised that the Regional Medical Officer of Health is involved in doing a medical surveillance of the residents around the Plastimet Fire and that there is a need for a similar programme for Firefighters as well as the Police, media and other agency employees involved in the Fire. The Chief indicated that the Firefighters Association has investigated this issue extensively and will be presenting their request.

The Commissioner of Human Resources indicated that such a surveillance programme is being reviewed for all employees involved in the Fire, and indicated that he wants to meet with the Firefighters Association as soon as possible.

Henry Watson, President of the Firefighters Association spoke to the Committee regarding the toxic chemicals present at the Plastimet Fire. In this regard, he introduced Dr. James Melius, Chairman, Medical Advisory Board, International Association of Fire Fighters.

Dr. Melius circulated a copy of the text of his address to the Committee members regarding his recommendation for a medical surveillance programme. Following Dr. Melius' presentation and questions from the members of the Committee, the following recommendation was approved for presentation to City Council:

The Committee approved the following:

(a) That City Council support the implementation of a long-term medical surveillance programme for Hamilton Fire Fighters involved in the Plastimet fire, as well as all other impacted fire fighters with the Hamilton Fire Department; and,

(b) That Regional Council be requested to authorize its Medical Officer of Health to work with the Hamilton-Wentworth Regional Police, and other applicable agencies also involved in the Fire on a similar surveillance programme for its employees; and,

(c) That the Chief Administrative Officer be directed to co-ordinate staff to report back on the specifics of such a long-term programme, including funding components; and,

(d) That this Study include the Hamilton Fire Fighters Union, Human Resources Department, the Occupational Health Clinic for Ontario Workers (Hamilton), and the Hamilton Fire Department; and,

(e) That staff report back to the Finance and Administration Committee with a funding formula that covers the term of the Study; and,

(f) That this staff report be brought back to the 1997 November 18th meeting of the Finance and Administration Committee.

1. IN CAMERA AGENDA

The Committee moved to an In-Camera Session to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session, and approved the following:

AA. CITY SOLICITOR AND COMMISSIONER OF PUBLIC WORKS AND TRAFFIC

(i) City of Hamilton -ats- Somagvari; Ontario Court (General Division) Action No. 011247/97

(a) That the City reject the Plaintiff's offer to settle this Action in the amount of $3,500 plus costs to be agreed upon or assessed; and,

(b) That the City offer to settle Ontario Court (General Division) Action No. 011247/97 by payment to the Plaintiff, Alex Somagvari, of the sum of $3,250, inclusive of all claims for damages, interest and costs; and,

(c) That the Plaintiffs be required to execute a full and final release in a form satisfactory to the City Solicitor; and,

(d) That Ontario Court (General Division) Action No. 011247/97 be dismissed without costs.

(ii) City of Hamilton -ats- Pettersen; Ontario Court (General Division) Action No. 10642/95

(a) That the City resolve Ontario Court (General Division) Action No. 10642/95 by the payment to the Plaintiff, Sheila Pettersen, of the sum of $16,400.88, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a full and final release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 10642/95 be dismissed without costs.

(iii) City of Hamilton -ats- Canakci, Occupiers Liability; Ontario Court (General Division) Action No. 8795/95

That the City of Hamilton settle Ontario Court (General Division) Action No. 8795/95 on the following terms:

(a) That the City pay to the Plaintiffs, Ayda Canakci and Nisan Canakci, the sum of $35,925.88, inclusive of all damages, pre-judgment interest, legal costs and disbursements; and,

(b) That the plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 8795/95 be dismissed without costs.

(iv) City of Hamilton -ats- McGrath; Ontario Court (General Division) Action #13657/96

(a) That the City resolve Ontario Court (General Division) Action # 13657/96 by the payment to the Plaintiff, Elizabeth McGrath, of the sum of $2,826.20, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 13657/96 together with any and all Crossclaims be dismissed without costs.

BB. CITY CLERK - Declaration of Surplus Property/Sale - 463-477 King Street East

(a) (i) That 463-477 King Street East be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,

(ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That an Offer to Purchase 463-477 King Street East for the price of $230,000, executed by R. M. Dynes, dated 1997 October 8, be accepted. The said land has a frontage of 43.53 metres (142.83 feet) and a depth of 38.10 metres (125.00 feet), being Lots 2, 3 and 4 on Plan 99, with structures thereon, said transaction scheduled to close on 1997 December 4. This land vested in the City as a result of no bids upon its sale for tax arrears under the Municipal Tax Sales Act. Funds derived from this sale less commission be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $20,000 be held by the City Treasurer pending Council approval; and,

(iii) That upon successful completion of this sale, a real estate commission of 6% of the sale price, plus GST be paid to Chambers & Company Limited (Sales Representative John Robertson), who acted in this matter; and,

(v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 October 21.

ADDED - Mayor Morrow announced to the Committee that J. Pavelka, City's Chief Administrative Officer had recently been awarded the "Engineer of the Year" Award.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda, and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held on Tuesday, 1997 October 7th, and approved these minutes as circulated.

B. GRANTS CO-ORDINATOR - 1998 Grant Applications and Policies

The Committee was in receipt of a report from the Grants Co-Ordinator dated 1997 October 16, respecting the above noted matter.

The Committee approved the following:

(a) That the 1998 General and Convention/Reception Grant Applications and Policies be made available to potential applicants with an extended deadline of 1998 January 5 (due to the Christmas Closure of City Hall December 25 -January 2 inclusive) for the General Grant Applications; and,

(b) That the process for reviewing and approving all 1998 General Grant Applications and the process for the Convention/Reception Grants be considered as soon as possible by the Finance and Administration Committee with the new term of Council.

C. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1997 October 17, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - City Solicitor - MacDonald Marina v. City - Pre-Trial Conference Results - report dated 1997 October 10th

(b) Correspondence - City of Vaughan - Resolution from the City of Hamilton - Plastimet Inc. Fire - Request for Public Inquiry - letter dated 1997 September 18th

(c) Correspondence - Regional Clerk's Office - Regional Council appointee - Task Force - 1997 Base Budget Reductions for the Information Systems Department - letter dated 1997 October 8th

(d) Correspondence - City of Toronto - Charging a Fee to Recover the cost of recycling and garbage collection of alcoholic beverage containers and other non-refundable beverage containers - letter dated 1997 October 8th

(e) Information Report - Treasurer - Update on the Who Does What Announcements - report dated 1997 October 15th

(f) Correspondence - City of Kitchener - Charitable Gaming Clubs in Ontario - letter dated 1997 October 2nd

(g) Information Report - Commissioner of Human Resources - Appointments to and Terminations from permanent Positions with the Corporation of the City of Hamilton - report dated 1997 October 10th

3. **CHIEF ADMINISTRATIVE OFFICER - New By-law for the Library Board**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1997 October 16, respecting the above noted matter, and approved the following:

That should Provincial Bill 109, the Local Control of Public Libraries Act 1997, be approved by the Provincial Legislature, the City Solicitor be authorized to prepare the appropriate by-law to meet the requirements of Bill 109 including the following:

(a) To set the size of the new Library Board at 7 members consisting of 2 Aldermen and five appointed citizens; and,

(b) To establish qualifications to include that each Library Board appointee "must be a qualified elector for the City of Hamilton who is currently eligible to be a member in the Hamilton Public Library".

4. **CHIEF ADMINISTRATIVE OFFICER/BUILDING COMMISSIONER - City of Hamilton Involvement in the PaRCIL Project**

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Building Commissioner dated 1997 September 18, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton switch from being a full partner in the PaRCIL Project to a service/customer arrangement for 1997, with subsequent years to be renewed as appropriate; and,

(b) That the 1996 charges for City department use and involvement in the PaRCIL Project of $133,566.59 be approved for payment, with $77,106.59 of that payment to be taken from capital account 5x921-00203, Reserve for Capital Projects, and the remainder from previously approved current budget allocations; and,

(c) That a budget of $48,866.59 to the PaRCIL project for the portion of the 1997 costs for City PaRCIL activities not funded from previously approved current budget allocations be authorized from capital account 5x921-00203, Reserve for Capital Projects; and,

(d) That the current budget base of $17,200 presently in Information Systems account CH-56005-26032 be transferred to Public Works and Traffic account CH-59056-75010; and,

(e) That a budget of $25,000 to the PaRCIL project for the upgrading of equipment be authorized from capital account 5x921-00203, Reserve for Capital Projects; and,

(f) That $421,454.68 in the capital budget account, Reserve for Capital Projects, remaining from the PaRCIL project, be returned to the original source of funding for other projects; and,

(g) That an advisory team to monitor PaRCIL activities on behalf of the City be struck, with membership being the Commissioner of Public Works and Traffic or his designated alternate(s) and the Director of Planning and Development or his designated alternate(s).

5. TREASURER

(a) Financing of One Time Costs - Human Resources/Information Systems

The Committee was in receipt of a report from the Treasurer dated 1997 October 15, respecting the above noted matter.

The Committee approved the following:

(a) That the City's onetime costs of Human Resources Centre - Restructuring in the amount of $85,377 and the Information Systems Department Budget reductions in the amount of $20,529 to a total of $105,906, be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,

(b) That the Regional Municipality of Hamilton-Wentworth be requested to forward their portion of the onetime severance costs in the amount of $29,471 in relation to the Information Systems Department; and,

(c) That the base 1998 Budget of the Information Systems Department be increased by $83,600 effective 1998 January 1, as recommended by the Sub-Committee set up under Section 1 of the Nineteenth Report of the Finance and Administration Committee, adopted by Council 1997 August 26.

(b) Requested Information Report - Two Hour Free Downtown Parking

The Committee was in receipt of an information report from the Treasurer dated 1997 October 17, respecting the above noted matter, and agreed to receive this document for information purposes.

ADDED - Gallery of Distinction Dinner - City of Hamilton table

The Committee was advised of correspondence received to invite the City of Hamilton to purchase a table for the upcoming Gallery of Distinction Dinner. The Committee approved the following:

(a) That the City of Hamilton purchase a table of 10 at a cost of $600 for the 1997 Awards Dinner for the Hamilton Gallery of Distinction to be held on Wednesday, 1997 November 5th at the Hamilton Convention Centre; and,

(b) That funding for this expenditure be charged to the Unclassified Account No. CH 55113 24201.

6. CITY CLERK - Lease Renewal - 44 Greendale Drive; Seven Towers Non-Profit Family Day Care Inc.

The Committee was in receipt of a report from the City Clerk dated 1997 October 15, respecting the above noted matter, and approved the following:

(a) That the Corporation of the City of Hamilton enter into a Lease with Seven Towers Non-Profit Family Day Care Inc., for a vacant parcel of City owned land located directly west of 44 Greendale Drive, containing approximately 583.4 square metres (6,280 square feet) more or less, being Part 2 of Block O on Plan M-66, to be used for access purposes only; and,

(b) That the term be for a period of four (4) years, commencing 1997 December 14 and expiring 2001 April 30, at a rental rate of $800 per year plus any applicable taxes, and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property-Civic Properties Rented); and,

(c) That the Tenant shall have the option to renew the Lease for a further four (4) year period, with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the Lease; and,

(d) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

7. CHIEF ADMINISTRATIVE OFFICER AND COMMISSIONER OF HUMAN RESOURCES - Workers' Compensation Benefits for Aldermen

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Commissioner of Human Resources dated 1997 October 15, respecting the above noted matter.

The Committee agreed to table this matter until the new year.

8. DIRECTOR OF CULTURE AND RECREATION - Extension of Existing Contract with Honeywell Ltd. - Building Controls and Automation Maintenance

The Committee was in receipt of a report from the Director of Culture and Recreation dated 1997 October 9, respecting the above noted matter.

Alderman Ross made reference to the advantages of the City hiring an Energy Saving group such as O.M.E.I. to address the City's needs.

The Committee approved the following:

(a) That the City exercise its renewal option for the period ending 2000 December 31, and establish a purchase order with Honeywell Limited of Hamilton which for 1998 will be in the amount of $359,108.05 inclusive of GST ($23,493.05) for maintenance services (parts & labour) of the building automation and control systems within various City buildings, this being the only acceptable quotation received in accordance with the specifications issued by the Purchasing Division, Ref: C14-4-95; and,

(b) That the contract prices be reviewed and adjusted annually, if appropriate, for years 1999 through to and including 2000 according to the publicly issued pricing indexes referred to in Schedule "B" of the Agreement; and,

(c) That the City Solicitor be authorized and directed to amend the existing Agreement which would otherwise expire 1998 December 31 accordingly; and,

(d) That an Open Order be established with Honeywell Limited for labour & materials beyond the scope of the maintenance agreement according to the schedule of rates, attached herewith and marked Appendix "A".

9. REFERRAL BACK FROM CITY COUNCIL - Appointment of City's Insurance Brokers of Record

The Committee was in receipt of a memorandum from the City Clerk dated 1997 October 15, respecting the above noted matter.

Alderman Anderson questioned the representatives of the Law Department with respect to their recommended insurance broker. Following discussion, it was agreed that this matter would be tabled for further discussion with staff, with the understanding that this matter can be presented to the City Council meeting on Tuesday, 1997 October 28th if the concerns are addressed with respect to the recommended firm for this contract.

10. CHIEF ADMINISTRATIVE OFFICER/FIRE CHIEF - Joint Emergency Preparedness Program

The Committee was in receipt of a joint report from the Chief Administrative Officer and the Fire Chief dated 1997 October 15, respecting the above noted matter.

The Committee was also in receipt of a report from the City Treasurer respecting the method of financing.

The Committee approved the following:

(a) That the City of Hamilton submit an application through the Joint Emergency Preparedness Program (JEPP) for funding to revise the City of Hamilton Emergency Preparedness Plan; and,

(b) That the cost of revising the City of Hamilton Emergency Plan at a net City cost of $36,667 (gross cost of $66,667 less cost sharing arrangement of $30,000 from an application through the Joint Emergency Preparedness Program) be funded from the Reserve for Contingency Account Centre No. CH 00115.

12. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1997 October 21

Appendix "A" referred to in Section 13 of the TWENTY-SECOND Report of the Finance and Administration Committee for 1997

MISCELLANEOUS RATES	1998	1999	2000
		SEE BELOW	
Hourly Rate	$_____	$_____	$_____
Overtime Rate	$_____	$_____	$_____
Truck Expense	$_____	$_____	$_____
Mileage Mi/km	$_____/	$_____/	$_____/

Overtime Commences: _____

Other charges, please specify _____

	1998	1999	2000
REFRIGERATION	$65.00	$65.00	$65.00
PNEUMATIC FITTER	65.00	65.00	65.00
ELECTRICIAN	65.00	65.00	65.00
AUTOMATION TECHNICIAN	90.00	90.00	90.00
OVERTIME AT	1.5		
TRUCK EXPENSE	N/C		
MILAGE	.50 /km		

Authorized Signature

Alan R. Simmons
Please Print Name

(905) 573-4591
Telephone Number

Oct 4, 1997
Date

(905) 573-4595
FAX Number

NOTE: PRICES SHOWN ABOVE ARE SUBJECT TO INCREASE OR DECREASE ACCORDING TO SCHEDULE "B" OF CONTRACT

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 October 16

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Supply and delivery of Xerographic paper to various departments as required to September 1998.

RECOMMENDATION:

That a purchase order be issued to Graphic Resources., Mississauga, for the supply and delivery of xerographic paper as and when required during the next 12 months, being the lowest acceptable of five (5) bids received in accordance with specifications issued by the Purchasing Department and the Vendor's tender, and be financed through various approved accounts.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:
Tenders were received by the Hamilton Board of Education requesting firm pricing for 12 months on requirements of various white and coloured xerographic paper for the Hamilton Wentworth Purchasing Group. Members of the group consist of all Municipalities, School Boards, and Library Boards within the Region, as well as the Conservation Authority.
The following tender totals are based on the estimated yearly usage for the City of Hamilton only. In an attempt to stabilize prices over the next 12 months, FIRM PRICING was requested as part of the specifications. The recommended bid was the only tender to meet this requirement.

Fine Paper Co-op Tender Analysis

September 1997

Bidder	Estimated Totals	Price Firm Until	Comments	Warehouse Location
Graphic Resources	$254,373.18	**Sept 30/98**	only bidder to meet specs	Kitchener
Buntin Reid	$231,447.05	Mar 31/98	partial bid- 36 items not priced	Mississauga
Coast Paper	$210,616.30	Dec 31/97	partial bid- 3 items not priced	Mississauga
Grand & Toy	$200,365.20	90 days	partial bid- 54 items not priced	St. Catherines
Canadian Paper Products	$60,989.25	30 days	partial bid- 61 items not priced	Mississauga

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 NOVEMBER 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

320 King E.
102 West Ave. N.
000 East 21st
236 Ottawa N.
315 King E.
000 Burlington E.
210 Burlington E.
1014 King W.
202 Belmont
418 Upper Wellington
18 Whitfield
228 Upper Paradise
1314 Upper Wenworth
2 Wark
15 Eldorado
32 Tiffany
361 Wellington N.
269 Bay N.
772 Upper Paradise
1521 Upper Ottawa
22 Aqua Santa
1443 Upper James
1521 Upper Ottawa Unit 8
1521 Upper Ottawa Unit 3
123 Princess
70 Covington
249 Hess N.
938 Burlington E.
315 Beach Blvd.
100 Locke S.
124 Walnut S.
107 Stuart
16 McKinstry
271 Bay N.
772 Upper Paradise
130 Stapleton
216 Dundurn S.
144 Barton E.

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports as required.

/WDD

SCHEDULE "A"
EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	320 KING ST. E.
	SERIAL NUMBER	02 01810 3460
	BRIEF LEGAL DESCRIPTION	PLAN 357 PART LOT 3
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237105
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$53,101.53
2)	PROPERTY ADDRESS	102 WEST AVE. N.
	SERIAL NUMBER	03 02125 2050
	BRIEF LEGAL DESCRIPTION	PLAN 223 PART LOT 85
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	LT433348
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$6,056.57
3)	PROPERTY ADDRESS	000 EAST 21ST ST.
	SERIAL NUMBER	07 06730 0240
	BRIEF LEGAL DESCRIPTION	PLAN 474 LOT 55
	DATE OF REGISTRATION	JANUARY 14, 1997
	TAX ARREARS CERTIFICATE #	LT438223
	REDEMPTION DATE	JANUARY 14, 1998
	TOTAL ARREARS	$4,432.12
4)	PROPERTY ADDRESS	236 OTTAWA ST. N.
	SERIAL NUMBER	04 03135 0760
	BRIEF LEGAL DESCRIPTION	PLAN 297 PART LOT 3 & 4
	DATE OF REGISTRATION	jANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	LT434388
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$27,739.38
5)	PROPERTY ADDRESS	315 KING ST. E.
	SERIAL NUMBER	02 01810 3700
	BRIEF LEGAL DESCRIPTION	PLAN 214 PART LOT 1, 2 & 3
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	VM237264
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$57,099.92

6)	PROPERTY ADDRESS	000 BURLINGTON ST. E.
	SERIAL NUMBER	03 02720 2500
	BRIEF LEGAL DESCRIPTION	PLAN 32 PART LOT 4
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237093
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$70,298.55
7)	PROPERTY ADDRESS	210 BURLINGTON ST. E.
	SERIAL NUMBER	02 01710 7850
	BRIEF LEGAL DESCRIPTION	PLAN 327 PART LOT 46 & 33
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	VM237266
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$4,847.68
8)	PROPERTY ADDRESS	10014 KING ST. E
	SERIAL NUMBER	01 00550 3950
	BRIEF LEGAL DESCRIPTION	PLAN 649 PART LOT 1402 & 1403
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	VM237261
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$72,191.34
9)	PROPERTY ADDRESS	202 BELMONY AVE.
	SERIAL NUMBER	04 02840 4020
	BRIEF LEGAL DESCRIPTION	PLAN 378 LOT 46 PT LOT 47
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	LT434393
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$18,120.64
10)	PROPERTY ADDRESS	418 UPPER WELLINGTON
	SERIAL NUMBER	08 09050 7830
	BRIEF LEGAL DESCRIPTION	CON 4 PT LOT 13 BTN HAM
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	LT434392
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$11,848.39
11)	PROPERTY ADDRESS	18 WHITFIELD AVE.
	SERIAL NUMBER	03 02730 5340
	BRIEF LEGAL DESCRIPTION	PLAN 410 LOT 63
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	VM237265
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$6,712.39

12)	PROPERTY ADDRESS	228 UPPER PARADISE
	SERIAL NUMBER	08 10810 8920
	BRIEF LEGAL DESCRIPTION	PLAN 603 PT LOT 81 TO 84
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	LT434383
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$12,193.35
13)	PROPERTY ADDRESS	1314 UPPER WENTWORTH
	SERIAL NUMBER	07 08410 5570
	BRIEF LEGAL DESCRIPTION	CON 7 PART LOT 11
	DATE OF REGISTRATION	JANUARY 30, 1997
	TAX ARREARS CERTIFICATE #	LT436080
	REDEMPTION DATE	JANUARY 30, 1998
	TOTAL ARREARS	$78,060.04
14)	PROPERTY ADDRESS	2 WARK AVE.
	SERIAL NUMBER	05 05110 2230
	BRIEF LEGAL DESCRIPTION	PLAN 364 PT LOT 14
	DATE OF REGISTRATION	JANUARY 30, 1997
	TAX ARREARS CERTIFICATE #	VM237466
	REDEMPTION DATE	JANUARY 30, 1998
	TOTAL ARREARS	$6,400.41
15)	PROPERTY ADDRESS	15 ELDORADO CRT.
	SERIAL NUMBER	08 09810 9500
	BRIEF LEGAL DESCRIPTION	PLAN 1376 LOT 17
	DATE OF REGISTRATION	JANUARY 15, 1997
	TAX ARREARS CERTIFICATE #	LT434389
	REDEMPTION DATE	JANUARY 15, 1998
	TOTAL ARREARS	$18,247.87
16)	PROPERTY ADDRESS	1521 UPPER OTTAWA
	SERIAL NUMBER	06 07210 3948
	BRIEF LEGAL DESCRIPTION	WENTWORTH CONDO PLAN 146
	DATE OF REGISTRATION	MARCH 12, 1997
	TAX ARREARS CERTIFICATE #	LT441778
	REDEMPTION DATE	MARCH 12, 1998
	TOTAL ARREARS	$24,534.06
17)	PROPERTY ADDRESS	22 AQUA SANTA CRES.
	SERIAL NUMBER	07 08610 9078
	BRIEF LEGAL DESCRIPTION	PLAN 62M689 LOT 19
	DATE OF REGISTRATION	JANUARY 30, 1997
	TAX ARREARS CERTIFICATE #	LT436076
	REDEMPTION DATE	JANUARY 30, 1998
	TOTAL ARREARS	$4,617.47

18)	PROPERTY ADDRESS	1443 UPPER JAMES
	SERIAL NUMBER	07 08610 2925
	BRIEF LEGAL DESCRIPTION	PLAN 62M689 BLOCK 51
	DATE OF REGISTRATION	JANUARY 30, 1997
	TAX ARREARS CERTIFICATE #	LT436079
	REDEMPTION DATE	JANUARY 30, 1998
	TOTAL ARREARS	$7,930.94
19)	PROPERTY ADDRESS	1521 UPPER OTTAWA
	SERIAL NUMBER	06 07210 3951
	BRIEF LEGAL DESCRIPTION	WENTWORTH CONDO PLAN 146
	DATE OF REGISTRATION	FEBRUARY 21, 1997
	TAX ARREARS CERTIFICATE #	LT439739
	REDEMPTION DATE	FEBRUARY 21, 1998
	TOTAL ARREARS	$21,201.44
20)	PROPERTY ADDRESS	1521 UPPER OTTAWA
	SERIAL NUMBER	06 07210 3936
	BRIEF LEGAL DESCRIPTION	WENTWORTH CONDO PLAN 146
	DATE OF REGISTRATION	MARCH 12, 1997
	TAX ARREARS CERTIFICATE #	LT441779
	REDEMPTION DATE	MARCH 12, 1998
	TOTAL ARREARS	$23,827.82
21)	PROPERTY ADDRESS	123 PRINCESS
	SERIAL NUMBER	03 02660 3975
	BRIEF LEGAL DESCRIPTION	PLAN 220 LOTS 1 to 5
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	LT433347
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$560,354.03
22)	PROPERTY ADDRESS	70 COVINGTON
	SERIAL NUMBER	05 04810 6390
	BRIEF LEGAL DESCRIPTION	PLAN 1332 LOT 15
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	LT433351
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$459,849.52
23)	PROPERTY ADDRESS	249 HESS N.
	SERIAL NUMBER	02 01250 3490
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 16
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237103
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$334,187.13

24)	PROPERTY ADDRESS	938 BURLINGTON E.
	SERIAL NUMBER	03 02720 1370
	BRIEF LEGAL DESCRIPTION	PLAN 453 LOTS 12,13,14,18
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237097
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$313,195.19
25)	PROPERTY ADDRESS	315 BEACH BLVD.
	SERIAL NUMBER	05 05140 2260
	BRIEF LEGAL DESCRIPTION	PLAN 364 PT LOT 6
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237095
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$106,839.19
26)	PROPERTY ADDRESS	100 LOCKE S.
	SERIAL NUMBER	01 00955 0070
	BRIEF LEGAL DESCRIPTION	PLAN 244 LOT 29,60 & PART LOTS 30,59
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237100
	REDEMPTION DATE	JANUARY 3, 1997
	TOTAL ARREARS	$102,546.48
27)	PROPERTY ADDRESS	124 WALNUT S.
	SERIAL NUMBER	02 01435 0370
	BRIEF LEGAL DESCRIPTION	PLAN 48 PT LOT 4
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237099
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$93,177.90
28)	PROPERTY ADDRESS	107 STUART
	SERIAL NUMBER	02 01255 8570
	BRIEF LEGAL DESCRIPTION	PLAN 199 LOT 1 TO 4
	DATE OF REGISTRATION	JANUARY 3, 1007
	TAX ARREARS CERTIFICATE #	VM237101
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$73,884.04
29)	PROPERTY ADDRESS	16 MCKINSTRY
	SERIAL NUMBER	03 02240 8040
	BRIEF LEGAL DESCRIPTION	PLAN 32 PART LOT 3
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	LT436083
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$72,641.46

30)	PROPERTY ADDRESS	271 BAY N.
	SERIAL NUMBER	02 01255 1120
	BRIEF LEGAL DESCRIPTION	PLAN 127 PART LOT 6
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237108
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$44,369.45
31)	PROPERTY ADDRESS	32 TIFFANY
	SERIAL NUMBER	02 01255 7230
	BRIEF LEGAL DESCRIPTION	PLAN 119 LOT 7,8
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237104
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$42,502.38
32)	PROPERTY ADDRESS	361 WELLINGTON N.
	SERIAL NUMBER	02 01710 8900
	BRIEF LEGAL DESCRIPTION	PLAN 89 PART LOT 1
	DATE OF REGISTRATION	JANUARY 30, 1997
	TAX ARREARS CERTIFICATE #	VM237468
	REDEMPTION DATE	JANUARY 30, 1998
	TOTAL ARREARS	$26,879.32
33)	PROPERTY ADDRESS	130 STAPLETON
	SERIAL NUMBER	04 03230 2730
	BRIEF LEGAL DESCRIPTION	PLAN 584 LOT 452
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237102
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$23,693.40
34)	PROPERTY ADDRESS	269 BAY N.
	SERIAL NUMBER	02 01255 1090
	BRIEF LEGAL DESCRIPTION	PLAN 127 PART LOT 6
	DATE OF REGISTRATION	JANUARY 3, 1997
	TAX ARREARS CERTIFICATE #	VM237107
	REDEMPTION DATE	JANUARY 3, 1998
	TOTAL ARREARS	$19,671.72
35)	PROPERTY ADDRESS	772 UPPER PARADISE
	SERIAL NUMBER	08 10610 6740
	BRIEF LEGAL DESCRIPTION	CON 7 PART LOT 21
	DATE OF REGISTRATION	FEBRUARY 14, 1997
	TAX ARREARS CERTIFICATE #	LT438221
	REDEMPTION DATE	FEBRUARY 14, 1998
	TOTAL ARREARS	$3,370.36

36)	PROPERTY ADDRESS	772 UPPER PARADISE
	SERIAL NUMBER	08 10610 6722
	BRIEF LEGAL DESCRIPTION	CON 7 PART LOT 21
	DATE OF REGISTRATION	FEBRUARY 14, 1997
	TAX ARREARS CERTIFICATE #	LT438220
	REDEMPTION DATE	FEBRUARY 14, 1998
	TOTAL ARREARS	$2,901.40
37)	PROPERTY ADDRESS	216 DUNDURN S.
	SERIAL NUMBER	01 00915 2230
	BRIEF LEGAL DESCRIPTION	PLAN 1434 PART LOT 10
	DATE OF REGISTRATION	FEBRUARY 14, 1997
	TAX ARREARS CERTIFICATE #	LT438222
	REDEMPTION DATE	FEBRUARY 14, 1998
	TOTAL ARREARS	$67,085.09
38)	PROPERTY ADDRESS	144 BARTON E.
	SERIAL NUMBER	02 01565 6180
	BRIEF LEGAL DESCRIPTION	PLAN 55 PART LOT 28
	DATE OF REGISTRATION	AUGUST 18, 1997
	TAX ARREARS CERTIFICATE #	VM239756
	REDEMPTION DATE	AUGUST 18, 1998
	TOTAL ARREARS	$14,474.98

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.97-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1997, A.D.,

CITY CLERK **MAYOR**

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Tax Applications processed under Section 443, Subsection (5) of The Municipal Act, Chapter 45 Statutes of Ontario, 1990

RECOMMENDATION:

That realty and business tax applications processed under Section 443, of The Municipal Act, Chapter 45, Statutes of Ontario, 1990 in the amount of $7,656.45 be approved and charged to CH55307-24104 Tax Remissions.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A - See above recommendation

BACKGROUND:

In accordance with Section 443, Subsection (5) of The Municipal Act, R.S.O. 1990, this Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are valid and therefore may only be heard and approved by Council provided that they comply with subsection (5) and that all applications have been confirmed and approved by the Regional Assessment Commissioner.

The Regional Assessment Commissioner has confirmed and approved these appeals and I am recommending that the attached summary of tax appeal applications be approved and charged to the Tax Remissions Account.

City of Hamilton
Treasury

"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
REALTY				
96-0009	030 2250 7890	1995	G	0.00
96-0025	010 0940 3740	1994	E	604.89
96-0029	030 2070 3140	1995	C	0.00
96-0030	030 2070 3140	1996	C	0.00
96-0040	081 0130 5920	1994	C	29.70
96-0041	081 0130 5920	1995	C	30.54
97-0003	010 0935 0880	1995	C	103.18
97-0004	010 0935 0880	1996	C	105.03
97-0011	040 3430 5030	1995	E	336.77
97-0012	040 3430 5030	1996	E	342.82
97-0020	010 0210 6330	1995	E	111.84
97-0021	010 0210 6330	1996	E	113.85
97-0023	030 2120 6030	1996	C	516.44
97-0024	030 2050 6480	1995	C	780.85
97-0025	030 2050 6480	1996	C	794.88
97-0029	040 3310 6900	1996	C	93.69
97-0030	040 3310 6900	1995	C	92.03
		TOTAL REALTY		**4,056.51**
BUSINESS				
97-0010	030 2250 7890 0220	1995	B	0.00
97-0011	030 2250 7890 0240	1995	B	0.00
97-0001	050 5335 5250 0020	1995	A	53.41
97-0002	050 5335 5250 0020	1996	A	54.37
97-0005	020 1450 1000 0080	1995	A	1,320.68
97-0006	020 1450 1000 0080	1996	A	1,344.40
97-0028	040 2860 2430 0080	1996	A	635.13
97-0032	060 7210 5800 0100	1996	A	191.95
		TOTAL BUSINESS		**3,599.94**
		TOTAL ADJUSTMENT		**7,656.45**

CITY OF HAMILTON

- RECOMMENDATION -

C.

DATE: 1997 November 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration

FROM: P. Noé Johnson
City Solicitor

P. Noé Johnson per: FH

SUBJECT: Transfer of Debenture Proceeds

RECOMMENDATION:

That the attached By-law to amend By-law No. 95-090 and By-law No. 97-033 to cancel the previously approved funding for the Co-Generation Debenture Project be enacted by Council

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below

BACKGROUND:

Council, on June 24, 1997, in adopting Section 11 of the 14th Report of the Finance and Administration Committee, authorized a further reduction in the approved debenture funding of the Co-Generation Project.

PNJ:LEF:as

c.c. Allan C. Ross, Treasurer
Attention: N. Adhya

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend

By-law No. 95-090 and By-law No. 97-033

To Authorize

A TRANSFER OF DEBENTURE PROCEEDS

WHEREAS the Co-Generation Project was approved as a Canada/Ontario Infrastructure Project;

AND WHEREAS the Co-Generation Project was approved by By-law No. 95-18 at a debenture amount of $2,021,500.00;

AND WHEREAS the debenture portion of the Co-Generation Project was increased to $3,685,500.00 by By-law No. 95-090;

AND WHEREAS the debentures previously authorized by Council have not been sold;

AND WHEREAS City Council, on January 30, 1996, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized a reduction of the Co-Generation Project funding and a transfer of $400,000.00 from the Co-Generation Project to the Creative Playstructure Project;

AND WHEREAS City Council, on February 27, 1996, in adopting Section 7 of the 2nd Report of the Committee of the Whole authorized a further reduction of the Co-Generation funding, a transfer of the $2,054,833.00 to other projects and a cancellation of $366,667.00 of the previously approved debenture funding;

AND WHEREAS Council, on June 24, 1997, in adopting Section 11 of the 14th Report of the Finance and Administration Committee authorized a further reduction in the approved debenture funding;

1. The City Treasurer is hereby authorized to cancel the remaining debenture authorization for the Co-Generation Project in the amount of $1,264,000.00.

2. The City Treasurer is authorized to finance the remaining expenditure of $386,815.27 in the Co-Generation Project by a transfer from the Reserve for Debt Charges.

3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of , 1998.

CITY CLERK

MAYOR

CITY OF HAMILTON

- RECOMMENDATION -

D.

DATE: 1997 December 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Building Commissioner

R. L. Fair, Director
Culture and Recreation

SUBJECT: Barrier Free Design Modification to Specific Locations at City Hall - Construction Contract (97.2.4.2.1.A, 97.2.6)

RECOMMENDATION:

a) That a contract be given to BESTCO Construction Corporation in the amount of $83,690 including G.S.T. for the Barrier Free Design Modification of the Hamilton City Hall; and,

b) That a contract satisfactory to the City Solicitor be entered between the City and BESTCO Construction Corporation, 62 Earl Street, Hamilton, Ontario; and,

c) That the Building Commissioner be authorized to carry a $12,000 Project Contingency to cover the asbestos removal and any additional unforeseen items which may arise; and,

d) That the Mayor and City Clerk be authorized and directed to execute the associated contract in a form satisfactory to the City Solicitor; and,

e) That these expenditures are funded from the Account: CF 329441017 - Barrier Free Design Modifications, Hamilton City Hall.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Available funds for the City Hall Modification	$251,971.99
Less funds required by the actual bid	$ 83,690.00
BALANCE	$168,281.99

There are no staffing or legal implications.

.../2

BACKGROUND:

On 1994 March 29, City Council approved a Capital Budget containing an allocation of $300,000.00 for Barrier Free design modifications for the City Hall. The proposed modifications included:

a) Upgrade of existing signage throughout the building,
b) The provision of a Barrier Free washroom on every floor,
c) The reduction of the height of counters where the public is being served (Clerks, Traffic and Information),
d) Modifications to the Council Chambers to accommodate spectators in wheelchairs and other citizens such as award recipients etc.; and,
e) Other minor modifications such as door handles, lever faucets etc.

On 1994 August 10, the staff of a Property Department invited three Consultants to provide fee quotes for the provision of design services. S.M. Roscoe Inc. Architects was selected to prepare tender documents for modifications to the following:

a) Basement: Men and Women Washroom;
b) Ground Floor: Continuous floor mats, Lower Portion Reception Counter, Lower two portions Treasury Counter, Lower Portion of Parking Counter, Create Barrier Free WC from Janitor closet;
c) Second Floor: Council Chambers, Lower clerks counter, Modify existing WC in East Wing, provide Automatic Door Opener;
d) The 3rd, 4th, 5th, 6th, 7th, and 8th floors: New BF Washrooms from existing Janitors closet, and modify space behind elevators for a New janitor closet;
e) Provide Signage & Floor identification.

After the reorganization of project management, the staff of the Building Department resumed the project management of this project. The scope of work, the work of the Consultant, the premises, and Building Code requirements were reviewed.

This award of contract is only for stipulated items. Further, barrier free work to the building, including the Council chamber and the elevator system will follow.

Tender closed on 1997 November 4. The lowest bid was received from BESTCO Construction.

LCK/RF/JJ

E. (1)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November 27

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Payment of 1998 Information Builders Software Maintenance Invoice (I/S 97-152)

RECOMMENDATION:

That the 1998 invoice for $20,244.74 (includes PST & GST) from Information Builders Canada Inc. be authorized for payment from Account CH 5609X-26021 (User Software).

J. G. Hindson, P.Eng.

J.G. Pavelka, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of the invoice is within the estimated amount ($20,250) included for this service in the 1998 operating budget.

BACKGROUND:

The City of Hamilton and the Region currently utilize computer software from Information Builders for report writing applications within the Human Resources and Payroll/Personnel systems (Attendance Management, Union Code Tables, OMERS 119, Employment Insurance and others).

Under the terms of the Information Builders Agreement, each licensee of their products pays an annual maintenance fee for the software. The software maintenance fees entitle

each user to software enhancements and upgrades at no cost, software problem bulletins and, in particular, provides for 24 hour support for the software to assist with any difficulties or problems encountered.

In 1997, the software from Information Builders was used in over 150 programs on various systems maintained by the corporations

The ongoing support of these applications requires software updates to be applied as well as software contact support information from Information Builders.

The maintenance fees (before GST) in 1997 were $ 18,238.50. In 1998, the maintenance invoice for the software is $18,238.50 and is due for payment on 1998 January 1. The Provincial Government in 1997 added taxes to this type of software which has resulted in a cost increase of $1,459.08 for PST in 1998, bringing the total cost to $20,244.74 with GST (4%) and PST (8%) included.

E. (18)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November 7

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Payment of 1998 Geac Financial Software Maintenance Invoice (I/S 97-151)

RECOMMENDATION:

That the 1998 invoice for $104,780. (incl. PST & GST) from Geac Canada Limited be authorized for payment from Account CH 5609X-26021 (User Software).

J. G. Hindson, P.Eng.

J.G. Pavelka, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of the invoice is within the estimated amount ($104,780) included for this service in the 1998 operating budget.

BACKGROUND:

The City of Hamilton and the Region currently utilize computer software from Geac Canada Limited (formerly Dunn and Bradstreet Software) for their Human Resources, Payroll/Personnel and Financial Information systems.

Under the terms of the Geac Agreement, each licensee of their products pays an annual maintenance fee for the software. The software maintenance fees entitle each user to software enhancements and upgrades at no cost, software problem bulletins and, in particular, provides for 24 hour support for the software to assist with any difficulties or

problems encountered.

In 1997, several maintenance changes provided by Geac were applied to the Human Resources System components and the Employment Insurance changes will implemented later this year. For the Financial systems, five service releases of software were applied and fifteen functional problems with the software were reported and resolved

The maintenance fees (before GST) in 1997 and 1996 were $ 94,396 and $97,240 respectively. In 1998, the maintenance invoice for the current Geac software modules in use is $94,396 and is due for payment on 1998 January 1. The Provincial Government in 1997 added taxes to this type of software which has resulted in a cost increase of $6,607.70 for PST in 1998, bringing the total cost to $104,780 with GST (4%) and PST (8%) included.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1997 November 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

DEC 1 1997

FROM: R. L. Fair
Director
Culture & Recreation

SUBJECT: **Closure of Culture & Recreation Department Capital Projects**

RECOMMENDATION:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing.

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319441015	Sir Allan MacNab Recreation Centre Bldg. Envelope Repairs	$250,000.	$249,982.	$18.	DEB
b) 319541004	City Hall - Roof Replacement	318,000.	307,521.	10,479.	DEB
c) 319641024	Market/Library - Reroofing (Phase II)	578,000.	577,192.	808.	RCP
d) 319741036	Rink Board Replacement - Eastwood & Coronation Arenas	180,000.	179,961.	39.	RCP
		TOTAL		$11,344.	

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The work relating to these projects has been completed and, therefore, the affected accounts can be closed. Cost savings attributable to the **City Hall-Roof Replacement** project were due to needed repairs not being as extensive as originally planned.

JC/jc

c.c. A. Ross, Treasurer, Treasury Department
Attention: N. R. Adhya
J. Cerio, Manager of Administration, Culture & Recreation Department
R. Swan, Manager, Building Operations & Maintenance Division
R. Desnoyers, Assistant Manager, Building Operations & Maintenance Division
L. Ames, Office Manager III, Building Operations & Maintenance Division

CITY OF HAMILTON

- RECOMMENDATION -

G. (i)

DATE: 1997 December 1

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: Schedule of Meetings for 1998

RECOMMENDATION:

That the Schedule of Meetings for 1998 for the Finance and Administration Committee, attached herewith, be approved.

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

Attached is a listing of the time lines for report preparation, Agenda Review Meetings, Standing Committee meetings for the Finance and Administration Committee and City Council meetings for 1998.

FINANCE AND ADMINISTRATION COMMITTEE

SCHEDULE OF MEETINGS FOR 1998

Report titles to be listed in the "S" Directory by 5:00 o'clock p.m. (All Fridays - with exception of Thursday, April 9)	**Reports to be submitted to Committee Secretary by 12:00 o'clock noon.**	**Agenda Review Meetings @ 2:30 o'clock p.m. in Room 264, with the exception of those indicated with an "*" - in Room 219.**	**Committee Meetings @ 1:30 o'clock p.m. in Room 233.**	**City Council Meetings @ 7:30 o'clock p.m.**
January 9	January 12	January 13	January 20	January 27
January 23	January 26	January 27	February 3	February 10
February 6	February 9	February 10	February 17	February 24
February 20	February 23	February 24	March 3	March 10
March 13	March 16	March 17	March 24	March 31
March 27	March 30	March 31	April 7	April 14
April 9	April 13	April 14	April 21	April 28
April 24	April 27	April 28	May 5	May 12
May 8	May 11	May 12	May 19	May 26
June 12	June 15	June 16	June 23	June 30
June 26	June 29	June 30	July 7	July 14
August 7	August 10	August 11	August 18	August 25
September 11	September 14	September 15	September 22	September 29
September 25	September 28	September 29	October 6	October 13
October 9	October 13 **By 10:00 a.m.	October 13	October 20	October 27
October 23	October 26	October 27	November 3	November 10
November 6	November 9	November 10	November 17	November 24
November 20	November 23	November 24	December 1	December 8

** Due to the Thanksgiving Holiday on Monday October 12, please have your reports submitted no later than 10:00 a.m. on Tuesday, October 13.

G. (ii)

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1997 December 4th

REPORT TO: Alderman D. Wilson, Chairman & Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary,
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Recommendation from the Commissioner of Public Works and Traffic to the Secretary of the Transport and Environment Committee - Construction of Sirente Drive -report dated 1997 September 26.

(b) Recommendation from the Commissioner of Public Works and Traffic to the Secretary of the Transport and Environment Committee - 1997 Servicing Expenditures related to Sub-divisions - report dated 1997 September 25.

(c) Information Report - Treasurer - Sale of Tax Arrears Properties - report dated 1997 October 23.

(d) Correspondence - Federation of Canadian Municipalities - The Federation of Canadian Municipalities (FCM) - Capacity and Value - letter dated 1997 September 26, plus Encl.

(e) Information Report - City Clerk - Freedom of Information Requests - Substantial increase noted in requests - report dated 1997 October 27

(f) Information Report - City Solicitor - Bill 65 - City of Hamilton Act - Licensing Committee - report dated 1997 October 27

(g) Correspondence - Town of Ancaster - St. John Ambulance - Financial Assistance Request - letter dated 1997 October 24.

(h) Correspondence - Manager, Real Estate Division - Real Estate Division of the Property Department - Services to the Region for the Third Quarter of 1997 - letter dated 1997 October 29.

(i) Correspondence - The Corporation of the Township of Glanbrook - St. John Ambulance - Financial Assistance - letter dated 1997 October 21.

(j) Correspondence - The Federation of Canadian Municipalities - thank-you letter to the City of Hamilton for its political and financial support to FCM's campaign to ensure that municipal governments recover costs imposed on them by federally-regulated telecommunications companies and receive a normal rate of return for the use of municipal rights-of-way - letter dated 1997 October 16.

(k) Correspondence - Regional Municipality of Peel - Plastimet Fire - 363 Wellington Street North - letter dated 1997 September 29.

(l) Correspondence - Ministry of Municipal Affairs and Housing - Bulletin on changes that are being made to the assessment and property taxation system in Ontario through the Fair Municipal Finance Act - letter dated 1997 October.14

(m) Correspondence - The Corporation of the City of Gloucester - Payment-in-lieu of taxes - letter dated 1997 October 21.

(n) Correspondence - Corporation of the Town of Dundas - St. John Ambulance - File F11 - letter dated 1997 October 27.

(o) Correspondence - Co-operative Housing Federation of Canada - Financial Impact of Proposed Downloading of Social Housing on Upper Tier Municipalities - letter dated 1997 October 29.

(p) Recommendation from Commissioner of Public Works and Traffic to the Secretary of the Transport and Environment Committee - Construction of Sirente Drive, Hamilton - report dated 1997 November 4.

(q) Recommendation from the Chief Administrative Officer to the Secretary of the Transport and Environment Committee - "Additional funding" - Construction of Sirente Drive - report dated 1997 November 6.

(r) Correspondence - The Town of Pickering - Teachers' Strike - letter dated 1997 October 31.

(s) Correspondence - Regional Clerk, Regional Municipality of Hamilton-Wentworth - Development Charges Act - Notice of the Passing of By-law R97-082, being a by-law to amend the Development Charges By-law R94-064, as amended, of the Regional Municipality of Hamilton-Wentworth - letter dated 1997 October 30.

(t) Information Report - Commissioner of Human Resources - Appointments To and Terminations from Permanent Positions with the Corporation of the City of Hamilton - report dated 1997 November 7.

(u) Information Report - P&C - City Solicitor - City of Hamilton -ats- Scott MacDonald Limited; Ontario Court (General Division) Action #408/97 - report dated 1997 November 12th

(v) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at October 31, 1997 - report dated 1997 November 17th

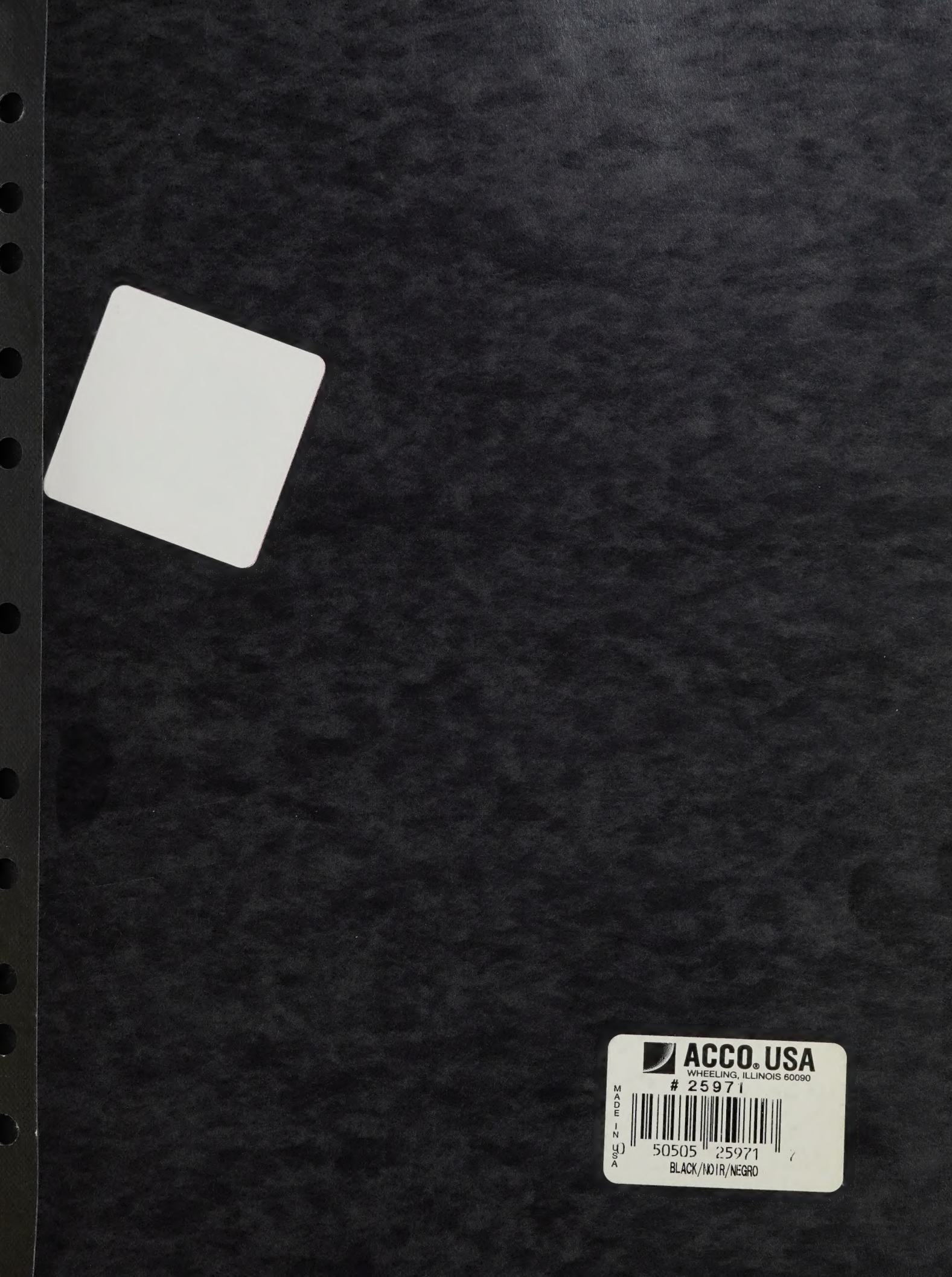
(w) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at October 31, 1997 - report dated 1997 November 17th

(x) Conference Information - Rural Ontario Municipal Association - A.M.O. - "Out of the Jungle - Into the new Municipal Millennium - 1998 February 8-11, Toronto"

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.


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